

281/43
L E T T E R S

CONCERNING THE

P R E S E N T S T A T E

O F

P O L A N D.

WITH AN

A P P E N D I X,

CONTAINING

The MANIFESTOES of the Courts of
VIENNA, PETERSBURGH, and BERLIN.

And other AUTHENTIC PAPERS.

T H E S E C O N D E D I T I O N.

L O N D O N,

Printed for T. PAYNE, near the Mews-Gate, 1773.

ADVERTISEMENT

THE Editor has offered a reward of £100 to the public for the discovery of a subject which deeply engages the attention of Europe.

The Editor has long been anxious to see a long—under the hope that an early perusal of the work would lead to the discovery of a subject which deeply engages the attention of Europe. He has been anxious to see a long—under the hope that an early perusal of the work would lead to the discovery of a subject which deeply engages the attention of Europe. He has been anxious to see a long—under the hope that an early perusal of the work would lead to the discovery of a subject which deeply engages the attention of Europe.



In fact, it is a subject which deeply engages the attention of Europe. He has been anxious to see a long—under the hope that an early perusal of the work would lead to the discovery of a subject which deeply engages the attention of Europe. He has been anxious to see a long—under the hope that an early perusal of the work would lead to the discovery of a subject which deeply engages the attention of Europe.

ADVERTISEMENT.

THE Letters here offered a second time to the public are written on a subject, which deservedly engages the attention of Europe.

The author waited long—perhaps too long—under the hope, that an abler pen would have taken up this important cause; but as no champion seemed willing to step forth in defence of the injured and oppressed, he ventured on the task: a love of justice, and respect for an amiable character, pity for a suffering people, indignation at the most atrocious acts of cruelty and perfidy urged him to it, and will, he hopes, justify a severity and warmth of expression, in few cases allowable.

In such a cause the writer persuaded himself, that he should find an advocate in the bosom of every British reader, who would soften the rigor of criticism: nor have his expectations been deceived: the indulgence
with

ADVERTISEMENT.

with which the public has read the Letters; the favourable manner in which they have been recommended to its notice; and the terms of approbation expressed by those, whose opinion would stamp a value on any work, but which cannot be repeated without running the risk of having the language of gratitude mistaken for that of vanity:—all have served to convince the writer, that the humanity and generosity of the British nation feel themselves interested in the cause he pleads.

Some few additions are made to this second edition. And the editor hopes the errors of the press will be fewer: the impossibility he is under of correcting the proofs must plead his excuse for those that may still be found.

London,
April 19, 1773.

LETTERS
CONCERNING THE
PRESENT STATE
OF
POLAND.
LETTER I.

B

LETTER

TO THE

REPRESENTATIVE

OF THE

STATE OF

NEW YORK

IN

ANSWER

TO A

RESOLUTION

PASSED

AT THE

SESSION

OF 1856

AND

1857

BY

THE

LEGISLATURE

OF THE

STATE OF

NEW YORK

L E T T E R S
CONCERNING THE
P R E S E N T S T A T E
O F
P O L A N D.

Dantzic, Sept. 22, 1772.

MY DEAR SIR!

I SEND you inclosed the Manifesto, which has just been delivered at the court of Warsaw, by the ministers from Petersburg and Berlin*. In a few days the minister from Vienna is to give the same; and a very curious piece it is. I cannot easily guess, whether it will excite in you more indignation, or contempt.

* See Appendix A.

4 LETTERS CONCERNING THE

Sure I am, that so gross an insult was never offered to common sense. You must impute it to the badness of the cause. What can men say, who are to defend such a daring breach of the laws of nations? The ministers of Petersburg are accustomed to appear without blushing, at the tribunal of the public, in defence of any cause; the death of Peter, the assassination of prince John, inured them to it. The new allies of Russia, with all their religion and philosophy, are not a whit more scrupulous or bashful.

In this piece, however, there is an artful mixture of truth and falsehood; which, as you desire it, I will endeavour to separate for you. In order to do this, it will be necessary to reduce the Manifesto to the following points; of which, I think, it consists——That

“ The empress of Russia, as soon as
“ the throne of Poland became vacant,
“ gave many very strong, and unequivocal
“ proofs of her friendly dispositions
“ to-

“ towards the republic ; particularly en-
“ deavouring to unite the suffrages of the
“ Poles in favour of the candidate who
“ appeared to be most worthy of the
“ crown, most agreeable to his fellow-
“ citizens and neighbours.

“ That the immediate consequences
“ were, the free and legal election of
“ Stanislaus, reigning king of Poland ;
“ the correction of many abuses ; and the
“ establishment of many useful and salu-
“ tary regulations.

“ That the courts of Vienna and Ber-
“ lin seconded, either tacitly or openly,
“ the good intentions of her majesty.

“ But that the spirit of faction, and dis-
“ cord, had not only defeated the happy
“ effects, which should have followed,
“ but do actually threaten the ruin and
“ total dissolution of the state.

“ That, therefore, her majesty and her
“ great allies are indispensibly obliged to
“ take effectual, and well-combined mea-
“ sures, for preventing this catastrophe ;

6 LETTERS CONCERNING THE

“restoring order, and tranquility; and
“re-establishing the ancient form of go-
“vernment in Poland.

“And, lastly, that it is a duty, which
“her majesty, and her great allies owe
“to themselves, to secure, at this critical
“conjuncture, a reasonable indemnifica-
“tion for several claims, and pretensions,
“which they have on Poland.”

The two first of these propositions ap-
pear to be true; the rest are a continued
tissue of artifice and falsehood.

To prove this, fir, it will be necessary
to examine the manner, in which the em-
press conducted herself from the beginning
of the interregnum.

Her first care was to quiet the fears,
which the republic might entertain, of
her forming any claims or pretensions
upon Poland.

Peter the Great, having put a glorious
end to the war with Sweden, assumed the
title of emperor of all the Russias; and
endeavoured to obtain a general and pub-
lic

lic avowal of it from the different courts of Europe. The proposal was received with great repugnance: Poland, in particular, thought herself interested in refusing to acknowledge the title, because some of her provinces went under the name of Russia.

But, during the interregnum, in the year 1764, the reigning empress obtained what her predecessors had so long endeavoured at in vain: she declaring by her plenipotentiaries, and consenting to have it inserted in the acts of the diet,—
That

“ Her said imperial majesty, in assuming the title of Empress of all the Russias, did by no means arrogate either to herself, heirs, successors, or empire, any right, or claim, to the districts or territories, which, going under the name of Russia, were actually in possession, or subject to the authority of the kingdom of Poland, or great duchy of Lithuania: but that, on the contrary, her

“ said majesty would guaranty to the said
 “ kingdom of Poland and duchy of Li-
 “ thuania, all the immunities, lands, ter-
 “ ritories, and districts, which the said
 “ kingdom and duchy ought by right to
 “ possess, or did now actually possess:—
 “ *Quæ vel jure possidendæ sunt, vel actu*
 “ *possidentur* : and would, at all times,
 “ and for ever, maintain them in the full
 “ and free enjoyment thereof, against the
 “ attempts of all, and every, who should,
 “ at any time, or on any pretext, endea-
 “ vour to dispossess them of the same.”

And, for the still greater security of the
 republic, the Russian ministers engaged,
 that, within the space of seven weeks,
 this declaration, made by them, in the
 name, and by order of their sovereign,
 should be delivered to the court of War-
 saw, signed with the empress's own
 hand, and sealed with the seal of the em-
 pire.

In consequence of these assurances, the
 diet acknowledged the title in dispute;
 provided always,

“ That the said acknowledgment should
 “ never be considered as affecting the
 “ rights of the republic, or the titles used
 “ by the kings of Poland; or as subjecting
 “ any part of the lands, territories, or pos-
 “ sessions of the kingdom of Poland, or
 “ duchy of Lithuania, to the authority of
 “ the said empress, heirs, successors, or
 “ empire, in any manner whatever.”

Upon these terms her majesty received the avowal of her title, of Empress of all the Russias; and she on her part sent to the court of Warsaw the act of renunciation of all claims on the republic, authenticated in the manner, and within the time limited by her ministers*. The growing power of Russia, the influence she had exerted in Poland ever since the time of Peter the Great, had naturally made the Poles fearful of the designs she might have on the republic. Nothing could so thoroughly quiet these fears, no-

* See Acts of the Confederation, anno 1764. See Lengaichii Jus. Pub. Pol: l. i. c. v.

thing could so effectually excite and maintain a spirit of mutual harmony and confidence, as a renunciation of all claims and pretensions ; and a treaty of guaranty, freely made, in so full and solemn a manner.

The proposal of raising a native of Poland to the throne was, by this step, divested of all suspicion ; and might now justly be looked upon as another strong proof, that the empress of Russia entertained the most friendly dispositions towards the republic.

Look into the history of the Poles, sir, and you will see, that the source of all their misfortunes, was, their kingdom becoming elective, and their unwisely determining to elect a foreign prince. From that moment the ambition and rapacity of their neighbours were awakened : every one became a candidate, or took an active part in favour of one of the candidates, and to the exclusion of the rest. Hence almost every vacancy of the throne
excited

excited troubles : hence the powers bordering on Poland were so often involved in them : hence, under pretext of securing their own frontiers, their troops entered into Poland, and dictated to the republic whom she should chuse. A thousand little passions prevented the Polish nation in general from attending to, and remedying these evils in time. Their pride was flattered at seeing themselves courted by the neighbouring powers ; their avarice was fed by the presents and promises of the different candidates, and their adherents : a spirit of selfishness and venality seized upon the whole nation ; and false notions of liberty were imbibed.

Fearing that the forces of the foreigner they elected might be employed to enslave them, every new election was marked by new laws, which, under the specious pretence of restraining the power of the future king, and securing the independency of each individual, served only to weaken the state, and enslave the whole.

You

You remember what Montesquieu has said on this occasion: "L'indépendance, de chaque particulier est l'objet des Loix de la Pologne; et ce, qui en résulte, l'oppression de tous."—These few words, sir, contain the best picture of the Polish constitution that ever was drawn.

The candidate, who succeeded, glad to obtain a crown at any rate, promised whatever was demanded: the friends of those who were disappointed, were not sorry to see lessened the consequence of a crown, which they had not had interest enough to obtain. And when by these laws the legislative and executive powers in Poland were weakened, and rendered inactive, their neighbours went farther: and, under pretence of securing the freedom of elections, the liberties of the people, and the rights of the different orders and classes of citizens, they took upon themselves the title and office of guaranties of the government of Poland. For, that this is no new idea, you may see, by
the

the letters and declarations of the house of Austria, during the interregnum occasioned by the death of Augustus II*.

Hence the Poles were no longer masters of fixing, or changing, as circumstances might require, their own internal form of government: the power of the crown was annihilated: and foreign princes grew omnipotent. This heedless people had kicked against the legal authority of a limited prince; and now crouched beneath the insolent and humiliating tyranny of strangers.

The natural, and indeed only method of diminishing, by little and little; and, in time, of putting a final stop to this evil, would have been, to have made it a fundamental law, that none but a native could ever be promoted to the throne. The patriotic part of the kingdom were so sensible of this, that at the death of Augustus II. the whole nation bound it-

* See Rouffet recueil historique, Tome ix. passim.

self by an oath, not to elect, not even to propose a foreign candidate.

You see therefore, sir, that the empress of Russia has reason to alledge, as, a proof of her good intentions, that she recommended a native to the throne.

And most certainly the particular candidate, whose interests she espoused, was the man the most worthy of the throne; and who, to all appearances, would render himself the most agreeable to his fellow-citizens, and his neighbours.

He was son of the first secular senator of the kingdom; allied to the most powerful and ancient families in it: his education had been directed on a plan the most liberal and manly: he had travelled to all the courts of Europe; and in all had left the most favourable impressions behind him: he had distinguished himself by a nervous eloquence; by a thorough knowledge of the laws and constitutions of his own country, and of the interests and characters of the other courts of Europe,

Europe, and above all, he had enlarged and just ideas of the rights of mankind, and the ends for which superior power is lodged in the hands of the few. In a word, if he had never reigned, his enemies themselves would have allowed, that no man was ever more worthy of a crown.

Thus far then, sir, the empress of Russia speaks with equal truth and dignity.

With the same truth she says, that the immediate consequences of these friendly dispositions were the free and legal election of Stanislaus, reigning king of Poland; the correction of many abuses, and the establishment of many useful and salutary regulations.

The legality of the reigning king's election has been called in question by the confederates. Their objections are published in a large volume, in quarto, under the title of "*Manifeste de la Republique Confederée de la Pologne.*"

Their

Their great, and indeed leading objection, is the presence of some Russian troops, and the visible and open influence exerted by Russia.

To judge of the force of this objection, we have only to examine the manner in which the elections to the throne of Poland have been conducted; from that of Henry of Valois, to that of the reigning king. And if, from this review, it shall appear, that there has scarce ever been an election, where so little was seen of the bribery or force of foreign states, or where the forms of the law were so well observed, the conduct of the empress will in this instance stand acquitted.

At the first interregnum, after the death of Sigismund Augustus, the nation past some regulations relative to the mode of election: the capitulations between the king and the nation, called the "pacta conventa," were drawn up; the interposition of foreigners was but ill provided against; because the danger of it was but feebly

feebly felt. No settled plan of government was formed; the hands of the aristocratical part, already too powerful, was strengthened: and the rest left in a state of inconsistent, incoherent confusion; the seeds of future disorder were sown: and some even went so far as to say, that the mode of election could not be settled by precise laws, lest the liberty of election should be endangered. They did not know, that liberty could not exist but under the protection of law.

At this first election, in 1573, the intrigues and bribery of France, Austria, and Russia threatened the utmost confusion and disorder; the partizans of France were successful: Henry of Valois was chosen; but the Poles might then have foreseen what was hereafter to be expected from their neighbours, and how little they could promise themselves the free and undisturbed disposal of their crown.

Henry remained only five months in Poland, and his retreat occasioned a second

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interregnum. It was soon seen how chimerical the idea of a free election was grown; the number of candidates augmented; the intrigues of their respective agents were more open and public. The arch-duke Ernest, the king of Sweden, and his son; the dukes of Modena, Ferrara, and Mantua; and Stephen Bathory, prince of Transylvania, were the principal, though not the only candidates. Another party proposed the emperor Maximilian II. and another, a native of Poland. This last party proclaimed the princess Anne, and gained over the friends of Stephen, by declaring that he was to espouse her, and reign with her.

The death of Stephen, in 1586, occasioned the third interregnum. The candidates, now grown bolder, added force to intrigue. Sigismund, prince of Sweden, nephew to Anne, and bred up with the hope of succeeding to the throne, obtained it. But the party of Maximilian, brother to Rodolphus II. determined to support him

him by force of arms; he was twice vanquished in two pitched battles, and in the last taken prisoner.

In the succeeding interregnums, we see all the powers of Europe taking part openly and avowedly in favour of one or other of the candidates.

After the death of John Sobieski, they went farther; and by a natural progression, foreign troops succeeded to foreign intrigues. A prince of Conti, a prince of Neubourg, and Leopold, duke of Lorrain, were the first candidates on the list. The address of the abbé de Polignac secured, as he thought, the throne to the prince of Conti. When, all at once a new candidate appeared, Frederick Augustus, elector of Saxony. One single man had gone to Dresden; persuaded the elector to change his religion, and enter on the lists. Conti, and the elector, were each chosen and proclaimed by their respective parties: a Saxon army decided the dispute; and after a civil war of near a year, the election of Augustus was acknowledged.

He was hardly well seated on his throne, when Charles XII. of Sweden, forced him not only to quit it, but solemnly to renounce it. After the defeat of Charles at Pultawa, he disavowed this renunciation, and reassumed the crown. Augustus soon formed the design of rendering the throne hereditary in his family ; and had he been capable of conducting himself upon enlarged ideas, he might perhaps have succeeded. As it was, he not only failed, but owed his death to the attempt. Instead of receiving what he wanted, as the recompence of real services rendered to a grateful people, he employed his whole reign, in corrupting their manners, and stifling all public virtue ; and then determined to engage his neighbours, to render the throne hereditary in his family : and was ready to purchase their consent and assistance, by dismembring Poland *. His first attempt was to gain over Frederick

* See Memoires de la maison de Brandenburgh.

William,

William, then king of Prussia; he desired that prince, to send the marshal Grumkow to Warsaw; Grumkow went, the king wanted to sound the marshal; and the marshal the king: to carry on their design, they both got so very drunk, that the king died of it, and the marshal contracted a disorder, of which he never recovered.

At the death of Augustus the second, the courts of Vienna, and Petersburg, thought it no longer necessary to keep up the appearances of decorum hitherto observed; and without consulting the nation determined to exclude the house of Saxony from the throne; and place upon it Emanuel, prince of Portugal. This prince died, and the project with him. The new elector of Saxony became more tractable; and the two courts changed their plan, and determined to support Augustus III. *

* And a worse present was never made to a nation; he was beyond all comparison the weakest,

In the mean time the Poles had elected Stanislaus Lefzczynski: a few discontented and most contemptible man, that ever sat upon a throne. In the last war, he had an opportunity, which may perhaps never be found again, of rendering Poland a respectable nation; he lost it, and will, for ever deserve the curses of the nation for having lost it. One may judge of the man, by his amusements; a favourite and daily diversion, was to order a number of dogs to be got together; and whilst the poor animals were feeding in his court, this doughty monarch was shooting at them from his windows. Such was the prince, whom the courts of Vienna and Petersburgh forced on the throne of Poland: such was the prince, whom in these days, the blind spirit of party has erected into a hero and patriot. He too had resumed the idea of his father, to render the throne hereditary in his family: and like him too, chose rather to owe it to the intrigues or force of foreigners, than to merit it at the hands of the nation. Had the late empress of Russia lived, it is probable his designs would have been forwarded by her. And in the present distressful moment of Poland, it is confidently said, that the present elector of Saxony has formed an alliance with the king of Prussia, by which he guaranties to the king, his usurpations in Poland, and offers to assist him with 20,000 men, in case of his being attacked on that score; and

ed citizens retired to the other side of the Vistula : there they protested against the election ; and, supported by some Russian troops, in defiance of a solemn oath, voluntarily taken, proclaimed Augustus king.

The Poles, too often rash in their enterprizes, seem here to have wanted common spirit, instead of falling on this handful of men, retired, and shut up themselves with Leszczyński in Dantzic. There they were besieged by the Russians and Saxons ; and the right of Augustus to the throne was not determined, till the richest and best town in the dominions of Poland was well nigh ruined.

The confederates do not object to the legality of these elections. Yet what a difference between these, confirmed at the expence of so much Polish blood ; and that of the reigning king, to whom no opponent was named ; and which did not cost and the king promises his interest in Poland to the elector, in case of a vacancy to the throne.

the life, nor a drop of blood of a single citizen?

It is objected, that the province of Prussia, not having been able to elect its nuntios, protested against the diet of convocation.

I am as much interested in the privileges of this province as any man; yet I know very well, that it has often neglected to send nuntios to the diets of convocation*. More than one example occurs, of kings being elected without the concurrence either of Prussia, or even of Lithuania†.

It is objected, that a nuntio, protesting against the diet of convocation, was attacked sword in hand. But is this any thing strange? How often have the diets been scenes of contradiction, and tumult, and carnage? And what were the effects of this attack? not a hair of the man's

* See Lengnichii Jus. Pub. Pol. l. ii. c. iii. sect. xxiv.

† See Ib. l. ii. c. iv. sect. xii.

head was hurt. They would not dare pretend that this protest should have broken up the diet! Once, and but once, in the year 1696, a nuntio attempted to break up a diet of convocation: he protested; the diet disregarded him, and continued their deliberations; the man afterwards got his price, and was quiet*.

They object, that the marshal, or speaker of the diet of election, quitted the chamber, and thereby dissolved the diet. They should have remembered, that the same thing, or rather worse, happened at the election of Augustus III. The marshal was not only not present at the pretended diet which elected Augustus, but had openly joined the adverse party. The same thing happened at the election of Stephen of Bathory. There were two marshals at the election of Sigismund III †.

* See Lengnichii Jus. Pub. Pol. l. ii. c. iii. sect. xxvi.

† See Ib. l. ii. c. iv. sect. xvi.

10 It is objected, that the diet of election
was opened amidst the tumult of arms;
and the place of election surrounded by
Russian troops, and the soldiery of Po-
niatowski and his adherents.

15 To hear the reasonings of these men,
would you not think, sir, that the ar-
mies of Russia were numberless? and
that all had entered into Poland? In the
whole kingdom there were not five thou-
sand men: I speak this on my own cer-
tain knowledge. Would you not think,
sir, that the elections of the kings of Po-
land had always been conducted with the
greatest order, tranquility, and peace?

20 You shall hear what their own writers
say on the subject. “ It hardly ever
“ happens (says the best informed of
“ them) that an election passes without
“ tumult, and wounds, and bloodshed.
“ At the election of Sigismund III. much
“ blood was spilt; armies were drawn
“ up, and the booths erected for the
“ senators burnt to the ground. At the
“ election

“ election of Michael many volleys of
 “ fire-arms were discharged; the balls
 “ flew about the tents; the senators and
 “ nuntios endeavouring to save them-
 “ selves by flight, were met by the sol-
 “ diery, who, levelling their pieces, forced
 “ them to return. Two were killed with-
 “ in the very ditch which surrounds the
 “ tents, one wounded, and a great num-
 “ ber killed in the field. At the election
 “ of Augustus II. swords were drawn in
 “ the assembly of the nuntios; some were
 “ killed at the very feet of the marshal;
 “ and the marshal himself hardly escaped
 “ with life*.

I have already told you what past at
 the election of Augustus III.

Now it is allowed, that not a life was
 lost, not a drop of blood was spilt at the
 election of the reigning king. What
 then are we to think of these objec-
 tions? and yet these are all which the

* See Lengnichii Jus. Pub. Pol. l. ii. c. iv. sect.
 xix.

confederates, exasperated at repeated losses, during the space of seven years have been able to rake together. If this election was not free and legal, we may boldly say, upon the testimony of their own writers, that no one ever was.

Should you have been misled by the swollen style and emphatic phrases of the manifestos of the Confederates, I would have you read those published on both sides at the double election of Leszczynski and Augustus III *. And when you have read them, be pleased farther to remember, that the very men, who three years after the election of the reigning king, first called its legality in question, had not only acknowledged his title, but had even accepted charges, and received fiefs from him.

The next good consequence of the friendly offices of Russia, was the reformation of many abuses, and the esta-

* See Roussel Recueil historique, tome ix. passim.

blishment

blishment of many useful and salutary regulations.

Without carrying you, sir, through a long enumeration of the particular laws passed at the diets of convocation, election, and coronation, I shall confine myself to the great and important changes made, by one or other of these diets, in the administration of the police, the army, and the treasury; content with hinting at one or two other regulations of great and public utility.

From thence you will be enabled to judge of the then apparent disposition of the empress towards the republic; and will know what to think of that torrent of obloquy, which the confederates have poured upon the reigning king.

In the districts within a certain distance of the royal residence, the police had formerly been administered, by the sole authority of an officer, called Great Marshal. The nomination of this officer was vested in the king: but in a government

ment where the power of the king is so limited, where almost every citizen must be bribed (as Sir Robert Walpole falsely said of the English) even to do his duty; the king was often obliged to conform himself to the will of a prevailing faction. Hence, men were called to this office, who, uninstructed in the great principles of justice, ignorant not only of the spirit, but even of the letter of their laws, decided on the properties and lives, the honours and liberties of their fellow-citizens, as caprice, or passion, or interest guided them. And, to complete the misfortune, if the king had been forced to confer so important a charge on a young and untutored, an ignorant or capricious man, there remained no hope of relief; though the king named him, he could not displace him: that could be done only by the act of a free, and unanimous diet; and therefore never could be done at all.

To correct the frequent abuses of so arbitrary and ill-formed a tribunal, was
one

one of the first attempts of the present reign. Instead of leaving the marshal sole arbiter of the lives and properties of his fellow-citizens, a bench of judges was formed; of which the marshal to be president, with a right of giving the casting vote, in case of an equality; the assistant judges to be named by the diet; to be taken out of men who had gone through a course of law; and to continue in office for two years, that is, from one diet to another.

This, though far from being a perfect institution, was perhaps the most perfect, the temper of the times would bear. Many useful regulations were made in the other courts of justice.

The administration of the public revenues was likewise put upon another footing.

The Poles had long established an oligarchical tyranny, on the ruins of the regal authority. Hence, under pretence of forming

forming intermediate powers between the majesty of the throne, and the liberty of the people, the different branches of the executive power had been thrown into the hands of a few great officers, who, having no legal check, made such use of the authority delegated to them, as best served their own private advantage; and had seldom any thing in view, but to humble the king, and aggrandize themselves.

Thus the public treasure had been at the sole disposal of the lord-high-treasurer. He indeed was named by the king, but not liable to be displaced by him, even in case of mal-administration. His accompts were to be given to the diet; but it was easy for a treasurer, who had embezzled the public money, to evade giving them: either they were brought in too late to be examined; for the sessions of each diet are limited to six weeks; or, during the course of the examination, some venal nuntio was hired
—(and

—(and enough were to be found—) who pronounced the fatal VETO; and the diet was dissolved.

You will easily guess the consequences: so far from having any resource, in case of unexpected events, the common, and ordinary expences of government were scarce ever provided for: the treasurers, their families, and friends, hoarded or dissipated immense sums;—but the state was ever poor, and in debt.

To remedy this evil, in the year 1764, a commission of treasury was formed, to consist of the lord-high-treasurer and his deputy, four senators, and twelve of the equestrian order; the two first to be always *ex officio* president, and vice-president; the others to be chosen by the diet; to remain only two years in office, unless re-elected, or unless the holding of the diet were prevented; those of the equestrian order not to be members of the diet, so long as in office. The examination of their accompts to be always the

D

first

first object of the succeeding diet ; and that diet not liable to be broken up, by the exercise of the liberum veto, till the accompts were settled.

You will be surpris'd, perhaps, when I tell you, that the enemies of the king object to this institution, as increasing the power of the crown. I profess, I see not how. I see those who administer the public monies obliged to apply them to the purposes for which they are rais'd, and to give proofs that they do so ; not to the king, but to all the orders of the state. I see force and activity given to the laws, but nothing added to the power of the crown. The king has indeed the right of filling up the vacancies, which may happen by death, or otherwise, during the interval of the two diets : but is it not full as natural ; is it not full as consonant to the spirit of their constitution, that the king should name a commissioner for a year, or half a year ; as it was before, that he should name, for life, a lord-high-treasurer,

surer, who had the uncontrolled disposition of the whole revenue? This commission was established only two years before the troubles broke out; and yet, at that early period, not only the debts of the state were paid, but something was beforehand in the public coffers, to answer unforeseen exigencies.

The army had hitherto been governed in the same absurd manner as the treasure had been administered; and the consequences had been the same. The regiments (few as they were) were deficient in their compliment of men; and the few soldiers they had were ill paid, ill clothed, and worse disciplined.

The same reform was made here: a commission of war was established on the same footing as the commission of treasury. The power of the great generals was curtailed: the commissioners were forced to apply the money, issued for the levy and support of the troops, to that object alone; and to see that the colonels did

really clothe, pay, and discipline their full complement of men.

The command of the army, if called out into the field, to be still appropriated to the great general, unless the king took the field in person.

The four regiments of guards only, to be at all times under the immediate command of the king.

And in this surely there is nothing contrary to the spirit of a free government.

The number of troops to be raised: the pay to be assigned them: the power of disbanding them, are, and ought to be, at the disposition of the legislative power. But the command of these troops, when raised, is the natural function of the chief executive power *.

* The kings of the house of Saxony had a real permanent force in their electoral troops: it might therefore be thought a matter of prudence to withhold from them the command of the troops: but this reason ceased on a native's election to the throne.

Another law past under the present king does honour to his government; that, I mean, fir, which secures the life of the peasant; and which, if it does not advance him to the rank of a citizen, restores to him, at least, the rights of a man. Hitherto the life of a peasant had been thought of so little consequence, that, according to the old feudal system, it was compounded for by a sum; and that a trifling sum of money.

Under the present king this shocking law has been abolished; and this useful body of men are reinstated in the rights of nature: their lives are declared as sacred as the lives of the nobles. As they are still, however, vassals attached to the glebe, they are still subject, in all but capital cases, to the domestic jurisdiction of their chief. It was not easy, perhaps not possible, to abolish this power of the chief at once; but the methods of proceeding are regulated; and, in many cases, the right of appeal to the courts of public justice is granted to the vassal. These

were proper steps, and calculated to prepare the way for the entire enfranchisement of them. It was all, perhaps, that ought to have been done at once.

Before men can aspire to the rank of citizens, they must learn to feel that they are men.

The education of the gentry was another object, which engaged the attention of the reigning king. Ever since the election of Henry of Valois, the establishment of a corps of cadets had been one article of the *Pacta Conventa*. Not one, however, of all the preceding kings, had carried this promise into execution. The priests had assumed the exclusive right of education. And yet, in Catholic countries, they are, of all men, the most unfit for it. Is it likely that men, who by their vows and professions are neither husbands, nor fathers, nor citizens; who acknowledge a connection more intimate with, and a subordination more absolute to a foreign power, than to their natural sovereigns ;

reigns; is it likely, I say, that such men should inspire those principles, which are to form a dutiful subject, an affectionate husband, a tender father, or an honest citizen? The reigning king was scarcely seated on the throne, when he fulfilled this article of his *Pacta Conventa*: he established a corps of cadets; he maintained it a whole year at his own private expence, till provision could be made for it by the state: and so active was the zeal; and so well directed the endeavours he used to put this corps on a good footing; and such was the success of those endeavours, that notwithstanding the many changes occasioned by the succeeding troubles, and the consequent diminution of the sums appropriated to its support, yet the corps of cadets at Warsaw is, in many respects, superior to those which had been established at Berlin and in Austria, years before this was thought of.

The dietines, or assemblies, where the nuntios were elected, had hitherto been

scenes of confusion and tumult. And as every nuntio was to be elected by the unanimous voice of all his constituents, it often happened, that many provinces had no representatives at the diet: you will rather wonder, that any province could ever chuse one. Here too the paternal care of the king was visible. It was no longer left to the caprice of a single citizen to deprive his province of a representative; but a law was past, that the nuntios should, for the future, be elected by the plurality of suffrages.

The last operation I shall mention, is the reform made in the money. The king of Prussia had, during the last war, overrun all Germany and Poland with false and adulterate coin: instead of calling it in, at the end of the war, he cried it down, and declared it no longer current in his own dominions. As he had bought up, during the war, many cattle and much corn in Poland, that kingdom suffered severely by this unusual proceeding. All the

the good silver had insensibly disappeared. The proportion between the mass of silver and gold was destroyed.

The king of Poland called in the old silver, at an expence of near 100,000 l. sterling from his own private purse. A new coinage was ordered; and measures were judiciously taken, that this operation should favour the creditor rather than the debtor.—I say, judiciously; for tho' it is a common, yet it is a false opinion, that in all operations which government makes on the respective value of money, the debtor should be favoured in preference to the creditor. If you should not chuse to take my word for this assertion, I can call in greater authority to my aid. “Whoever lends his money (says a favourite author of yours *) produces a circulation of money: by communicating his wealth, he not only furnishes the means of living to the borrower, but puts him in a way of communicating the same means to others, by manufac-

* See Principes de tout gouvernement.

“tures, commerce, &c. In every light,
“therefore, he is useful to the state.
“There is no occasion to invite men to
“borrow, but you cannot give too great
“encouragement to lend. Whenever the
“operations of government have been in
“favor of the debtor, and to the preju-
“dice of the creditor, the consequence
“has been a total stagnation of the specie,
“all resources have been shut up against
“the poor.”

What excited, perhaps, some complaint
against this operation at Warsaw, was a
slavish admiration of ancient customs.
Rome had more than once abolished all
debts. But at Rome, when these opera-
tions took place, the terms of rich and
creditor, of poor and debtor, were almost
synonymous. It was quite otherwise at War-
saw, as it is in most countries in Europe.

These, my dear sir, are only the out-
lines of a small part of the plan, which
the present king of Poland seemed to have
formed. And I will venture to appeal to
the most zealous partizan of the house of
Saxony,

Saxony, whether he did not do more for the good of Poland, during these two first years of his reign, than that house had ever done, during two ignominious reigns of sixty years?

The empress of Russia takes to herself some part of the merit due to these useful and salutary establishments. Far from disputing her claim, let it be owned, that the republic of Poland had arrived at such a pitch of political corruption, that it would have been difficult to have carried these salutary designs into execution, unless the first magistrate of the republic, he in whose hands the chief executive power was, or ought to have been lodged, had been supported in an extraordinary manner. This is allowing a great deal; more perhaps than is true: but still let it be allowed; let her majesty boast that it was owing in great measure to her, that so many abuses were corrected, so many good establishments made, such promising appearances of tranquility and good order produced.

But to what then, you will ask, is it owing, that these promising appearances have vanished? that a king who deserved so well of his people, has been so ill treated by them? that the powers, who boast so much of their good-will towards Poland, do now conspire its ruin? that the empress of Russia joins in this unjust conspiracy against the very king and nation, for whom she appeared to interest herself so warmly at first?

In my next Letter, my dear sir, I will answer these questions; and if our new tyrant does not lay an embargo on our posts, as he has done on our ships, you will not wait long for my Letter. You will there see, sir, to what excesses superstition and fanaticism may be hurried, when worked upon by art and knavery: of what outrages the spirit of party is capable, when masked beneath the cloak of patriotism: to what low and mean artifices the pride of kings can sometimes descend; of what villanies a royal philosopher; of
what

what hypocrisy an apostolic queen can be guilty.

In the mean time, thank heaven, that you are born an Englishman, and far removed from the neighbourhood of the philosopher sans souci. He has often been heard to exclaim, when the petitions and remonstrances presented to the throne by your towns and counties have been talked of at his table :—" Ah, why am not I
" their king? with an hundred thousand
" of my troops round the throne, and a
" score or two of executioners in my train,
" I should soon make them as dutiful as
" they are brave; and myself the first
" monarch of the universe."—I fancy, sir, you hardly wish that he should try the experiment: and yet, perhaps, it might be for the good of mankind; for you would teach him, what he has most thoroughly forgot, that kings were made for the people, not the people for kings.

I am, &c.

THE STATE OF

CONSTITUTIONAL

REPRESENTATIVE

POPULAR

LETTER

L E T T E R S
CONCERNING THE
PRESENT STATE
OF
P O L A N D.

L E T T E R I I.

L E T E R S

1877-1878

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L E T T E R S
CONCERNING THE
P R E S E N T S T A T E
O F
P O L A N D.

Dantzic, Oct. 1st, 1772.

MY DEAR SIR!

WHAT I hinted at the end of
my last Letter is really come to
pass: the king of Prussia has,
in effect, laid an embargo on our posts.
He has erected a new office at Stoltzem-
berg, by which he has not only ruined
that established at Dantzic by the king of
Poland, and so once more increased his
E own

own revenues, at the expence of that unfortunate prince, but has all the correspondence of Dantzic at his mercy. You, who know the character of the king of Prussia, will hardly suppose he will be very scrupulous on this occasion : his clerks will certainly have orders to open all the letters coming to, or from Dantzic ; the secrets of every compting-house and family will be in his power ; nor should I have ventured to have written to you again, had I not found an opportunity of sending this as far as Brussels by a private hand. How long even this resource will be left us is uncertain : it is rumoured, that an order is soon to be issued, forbidding every inhabitant to quit the town without an express permission from this worthy prince ; who insults us at the same time, by declaring, in the face of all Europe, that we still are free.

In the mean time, Sir, his emissaries are dispersed about the town, with orders to insinuate to the magistrates, that it is
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in vain they flatter themselves with hopes of succour and protection from other courts, who have neither the power, nor inclination to afford it: that it is high time to consult the real interests of the town:—that, if they immediately and voluntarily surrender, his Prussian majesty is ready to grant them an honourable and advantageous capitulation:—that, if they hold out under the delusive hope of foreign assistance, time will convince them, how little they have to rely on the interposition of impotent, or indolent guarantees:—that they will then seek his protection; but, as it will be through necessity, not choice, they can hope to be received only at discretion:—they add—you scarce will think it; but they add—that his Prussian majesty is too religious an observer of his engagements to make use of open violence:—that the surrender must be the free act of the town:—and then, to complete the insult, own, with an air of contemptuous pity, that, it is true, his

new acquisitions give him so many means of vexing and oppressing the town, that it will, in the event, be just the same as if he took it by storm.

The town of Thorn is, if possible, in a worse situation than that of Dantzic : that town too is free, if the king of Prussia is to be credited ; and, as luxury is the bane of freedom, his majesty is graciously pleased to take a most effectual method of putting a stop to this vice : he does not oblige the town to enact sumptuary laws, or take any means devised by ancient legislators : he does every thing in a summary way : he stops all the provisions : not a peck of corn, not a handful of apples, not a bunch of greens can find its way into the town, till it has paid a new gabelle.

In the course of this Letter, Sir, I shall have a long catalogue of injuries to make ; let me not anticipate my subject, but return to the narrative I began.

You

You have seen by my first letter the empress of Russia's conduct during the last Interregnum in Poland; and you will allow, that, if any reliance were to be had on the faith of princes, the Republic could not but look on her majesty as a friendly, and disinterested ally. You have seen, that the election of the reigning king was the freest, and most legal that the annals of Poland have recorded:—that the first operations of his government visibly tended to the good and happiness of his people:—and you will, no doubt, have been forcibly struck with a circumstance to which his enemies are, or pretend to be blind; I mean, that of all the changes effected in the administration of government, no one had the least tendency to increase the power of the crown; but that all were confined to giving a real force and activity to the laws, by restraining the excessive power of an overgrown oligarchical tyranny, unknown to the constitution, and fatal to the people.

I dwelt the longer, and with more pleasure on this last article, not only as it gave me an opportunity of vindicating a great and amiable character, from the aspersions thrown upon it by ignorance and party rage ; but as I shall have more than one occasion of referring to these circumstances, in explaining to you the rise of the succeeding troubles. For you will easily conceive, that, in a government so perverted as that of Poland, every attempt to establish order and regularity must occasion murmurs and discontent : that the greater the abuses had been, the greater must be the power, and the more numerous the dependents of those, who would consider themselves as sufferers : that an artful, and ill-disposed neighbour would find it no difficult task to inflame, and turn these dispositions to his own advantage. And this is precisely what some of the neighbours have done.

The empress of Russia indeed asserts, that the courts of Vienna and Berlin did
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either tacitly or openly second her good intentions towards Poland.

But, with all the deference due to a crowned head, I will affirm with boldness, because I affirm with truth, that in this assertion, either the empress is herself deceived, or she wishes to deceive others.

Let us begin, if you please, sir, by examining the conduct of the house of Austria, from the vacancy of the throne of Poland, till the publication of the Manifesto I sent you in my last; in which the pride of Austria is reduced so low, as to assume the character of a second-rate actor, subservient only to the designs of Petersburg and Berlin.

You know very well, sir, that the electorate of Saxony was sacrificed, during the last war, to the views of Austria: that the union between the two houses has been strengthened, and cemented by different alliances. It was not therefore probable, nor would it have been thought

natural, that Austria should join cordially in measures, which tended to exclude the house of Saxony from the throne of Poland : and it is probable, that greater efforts would have been made in its favour, both by Austria and France, had not the death of Frederic, son and successor to Augustus III. which happened a few weeks after that of his father, disconcerted their scheme of again uniting the kingdom and electorate in the same person.

The son of this short-lived elector was a minor ; and, therefore, by the laws of Poland, not eligible to the throne. A scheme was rather thought of, than formed, of electing Branicki, great general of the kingdom ; but his advanced age was, by the laws, as positive a disqualification as the minority of the elector, in whose favour this scheme had been invented.

The court of Vienna, though, by this event, defeated in her wish of placing a
prince

prince of Saxony on the throne, determined not to give precipitately the sanction of her consent to the exclusion of this house. Her minister was ordered to withdraw before the election.

Thus far, at least, the boasted neutrality of the court of Vienna did not seem to speak any concurrence with the empress of Russia, or any design of contributing to the success of her views, however praiseworthy they might be.

In fact, sir, the empress of Russia had shewn no complaisance to the allies of Austria. Just before the death of Augustus III. she had given the house of Saxony another very sensible blow. Peter III. during his short reign, had recalled Biron from exile. Catherine went farther; she determined to reinstate him in the duchies of Courland and Semigallia; of which, on a supposition that the banishment of Biron and his family was perpetual, and they, by consequence, civilly dead, Charles, son of Augustus, had been declared

declared duke. The empress had every appearance of justice on her side: Biron had done nothing to forfeit his duchy. Her conduct besides in this was uniform. The deposition of Charles was the unavoidable consequence of the resolution taken to exclude the house of Saxony from the throne of Poland. Nothing could have been expected, but continual cabals in favour of that house, had Charles remained in possession of a duchy so intimately connected with Poland. But however necessary this might be to the plan of Russia, it was certainly an additional reason, why the court of Vienna should not heartily concur in that plan.

Other reasons co-operated in preventing the court of Vienna from entering heartily into any design formed by that of Peterburgh.

All Europe knows what an ungenerous advantage the king of Prussia took of the weakness and troubles, into which the house of Austria had been thrown at the death

death of Charles VI. how deeply the empress was affected by the loss of Silesia and Glatz: with what unwillingness she consented to give up these provinces, so unjustly and ungenerously torn from her: with what unabated zeal she endeavoured to put herself in a situation of regaining them, and revenging the insolence of the ungenerous conqueror: that she had sacrificed every other consideration to this darling wish: that to accomplish it she had, even at the risk of losing her own independence, called the Russian troops into Germany. Her wishes were on the point of being accomplished; the dominions of Prussia were at the mercy of his enemy; his forces were worn away; his resources dried up; the only hope, which seemed to remain, was to die in the field of battle. At this critical moment, when the vengeance of the empress was on the point of glutting itself with a view of a detested enemy fallen at her feet; and not only restoring what he had unjustly robbed her

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her of, but paying the price of his injustice by his own utter annihilation, Russia forsook her ally; dashed the hopes of Austria; and once more put the king of Prussia in a situation of maintaining what he had formerly usurped.

The wound was too deep and fresh to have been healed so soon; and the empress queen must have been superior to every feeling of human nature, could she so soon have entered into an open and cordial friendship with Russia.

The fact was far otherwise: female jealousy heightened the aversion between the two empresses; Theresa felt all the rage of despair, at seeing her own reputation eclipsed by the superior splendor of Catherine.

Whatever therefore the empress of Russia may think proper to tell us now, she, as well as the rest of Europe, did then think the neutrality of Austria proceeded from an impotence of opposing, not from a desire of securing success to
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the views of Russia. No mortal could then have foreseen, that, a few years afterwards, the empress would solemnly, and in the face of all Europe, declare herself the humble tool of Russia, and the dupe of Prussia.

Had the empress queen, fir, been really great enough to have sacrificed her personal animosities and resentments to the good of Europe; or had she really understood her own interests, she would certainly have joined with Russia in the measures that court seemed willing to adopt, after the election of the king of Poland; she would not have contented herself with coldly acknowledging the legality of the king's election: she would have maintained an open and friendly correspondence with the court of Warsaw: she would have sent a minister to reside there; and demanded one from thence. If the court of Russia had been sincere in its professions of correcting the abuses of the Polish government, and establishing the liberty

liberty of that people on a firm and solid foundation, she would have had the glory of co-operating in a good and great design : If that court had made use of these pretences, only to embroil, in order afterwards to enslave the Poles, she would have forced it to abandon such iniquitous views ; and really and truly to fulfil its engagements : And in either case she would have acquired a barrier against the enterprizes to be feared from the increasing power of Russia, checked the restless ambition of Prussia, and prevented him from embroiling the affairs of Poland, in order to increase afterwards his own power, at the expence of that unhappy kingdom, and to the immediate detriment, and evident danger of all his neighbours ; advantages of infinitely more consequence to her, than the territories she has now so meanly usurped ; which, however extensive or fertile, are still of trifling importance, if compared with the usurpations of the king of Prussia ; and have therefore lessened,

lessened, instead of increasing, her relative force. And the force of all states is relative.

The conduct of Austria was not directed by views so great.

The election of the king was indeed acknowledged; but every thing shewed a coldness and disaffection to the courts of Peterburgh and Warsaw. And no sooner had the malcontents taken up arms, than their chiefs were permitted to fix their head-quarters in Hungary: there all their councils were held, and the plans of distressing the king and his government formed. The monies furnished to them by the court of Saxony were remitted by bankers of Vienna; they were received with apparent marks of good-will at the court. The infamous manifesto of Pac, which declared the throne vacant, the king an usurper and intruder; which excited all his subjects to take away his life by any means, was printed in the empress's dominions, in the beginning of

8 August,

August, 1770; and from thence was distributed all over Europe; the author, mean while, appearing publicly at Vienna. Nor did the empress change her conduct towards the malcontents, till that horrid attempt on the life of the king of Poland, which did not happen till the month of November, 1771. Then indeed she felt that it was the interest of every sovereign to express an abhorrence and detestation of an attempt, which might otherwise expose the lives of them all to the fury of misguided fanaticism.

Now, sir, if this is to be called a neutrality, yet I will venture to appeal to you, or to any man of common sense, whether the courts of Petersburg and Warsaw; or whether the malcontents in Poland could possibly conceive, that such a neutrality proceeded from any other motive, than a tacit disapprobation of the measures taken by Russia?

In the mean time the war broke out between Russia and the Porte; one unhappy
confe-

consequence of which was the plague appearing in Poland. This furnished Austria and Prussia with a pretext of advancing their troops, in the year 1769, into Poland, in order to secure their own dominions from the contagion of that dreadful distemper. But even then, so far was the world from supposing any hearty concurrence between the three courts, that the motion of the Austrian troops being visibly regulated on that of the Prussian, served only to confirm men in the belief, that the chief view of the former was to observe and check the latter. And at first I believe this to have been the case.

The foundation of the present agreement of the three courts was probably laid at the interview between the emperor and the king of Prussia at Neiss, in that same year 1769. Their frequent conferences, the excessive admiration, which the emperor expressed for the king, gave reasonable grounds of alarm.

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But still the scheme, since adopted, and avowed, appeared so iniquitous, so contrary, at the same time, to the real interests of Austria, that all suspicions about it were, in general, rejected with indignation.

These suspicions, however, were revived, and seemed justifiable the following year. The emperor and the king of Prussia had a second interview at Neustadt: Kaunitz was there too. Henry prince of Prussia made, at the same time, a visit to Peterburgh; then it was the house of Austria began to hint something about pretensions, which the States of Hungary formed upon Poland. These pretensions, however, were trifling; and the court of Vienna declared, that she would wait patiently for the pacification of Poland, when she would produce the reasons, on which the States of Hungary founded their claims; which should be examined and settled in an amicable manner: and that, in the mean time, she

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would

would protect the territories in question from all insults, on the part either of the Russians or Confederates.

The court of Warsaw, however, had taken the alarm: and, whether that of Vienna had not yet determined on her future conduct; or whether she meant only to mask her real designs a little while longer; the empress queen wrote a letter with her own hand to the king of Poland, in the month of January, 1771, in which she gave him the strongest assurances, that her friendship for him and the Republic was firm and unalterable: that the motion of her troops ought not to alarm him: that she had never entertained a thought of seizing any part of his dominions: nor would ever suffer any other power to do it *.

* Kaunitz pretends, that the emperor returned from these interviews disgusted with the king of Prussia. Yet after the first interview, he adopted his method of recruiting his troops; and after the second, his manner of numbering the houses and inhabitants. He farther pretends, that the court of

To what are we to attribute this shuffling, evasive conduct of Austria? this

Vienna knew nothing of the design of dismembring Poland, till the return of prince Henry from Petersburg, when a copy of the treaty was sent to Vienna, with an invitation to that court to sign it, accompanied by a declaration, that her signing, or refusing to sign, would make no alteration in the plan of the two other courts: that the court of Vienna then applied to France for the auxiliary troops which she was engaged to furnish in case of Austria's being engaged in a war; but that France answered, those succours were to be given only in case of the hereditary dominions of Austria being attacked; and that in such case, France would either furnish the stipulated number of troops, or their equivalent in money: that Austria finding herself thus feebly supported by France, and unable to oppose alone two such powers, reluctantly acceded to the treaty.

Prince Kaunitz seems to have forgotten that immediately after the review at Neustadt, the Austrian troops not only took possession of the territories of Poland, but planted the imperial eagles there: —that the chanceries of Hungary, and Bohemia, were at the same time ransacked to find out some ancient documents, in order to justify the claims of Austria: and that prince Henry did not return from Petersburg till some months after that. And it would be very extraordinary, indeed, if an aversion

blindness to her own interests? this breach of the most solemn engagements? this forgetfulness of dignity, policy, and honour?—Perhaps there is in every female breast some latent weakness, some invincible tendency to deceit, which makes a woman incapable of sustaining uniformly a great and noble part: perhaps the infatuation of the emperor, co-regent with his mother, in favour of the king of Prussia, has not only blinded him, but influenced the councils of Vienna: perhaps the confined views, and narrow capacity of the favourite minister have contracted the soul of a princess, who once supported a nobler character †.

sion to the measures of Petersburg and Berlin should have engaged the house of Austria to act precisely in the same manner as if she had heartily concurred in them.

† Prince Kaunitz has the reputation of a man of great talents: I own I cannot form a great idea of a minister, who can spend whole mornings at rehearsals; be gravely employed in settling disputes between actors and actresses, dancers and singers; can descant whole hours on the cut of a coat, or

The conduct of the house of Austria, with respect to the war between Russia and the Porte was still equivocal and suspicious; still seemed to mark a disaffection to Russia. Every little check received by the Russians was listened to at Vienna, and especially by the court, and those attached to it, with pleasure and triumph; every victory obtained by them seemed to give alarm and discontent. Business called me to Vienna soon after the taking of Choczyn; and I speak from my own observations.

These, you will say, sir, were at most but uncertain marks of disaffection:—be it so:—but what will you say to the anecdote I am going to relate? I do not vouch it on my own authority; but I have it from a person of undoubted veracity.--- He assures me, that he saw a treaty entered into by the house of Auf-

the fashion of embroidery; can be brushing his diamonds, and cleaning his jewels, when men are talking to him on the great concerns of a nation.

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tria and the Porte, in the year 1771; by which Austria bound herself to declare war against Russia, and not to make peace till she had given upon all her conquests made upon the Porte, and desisted from her enterprize in Poland: in consideration whereof Austria was to receive during the first year 10,000 purses, about 720,000 pounds sterling; and the like sum every year during the war, in case it was not finished in the course of the first year. This annual subsidy to be paid by four equal instalments; the first whereof to be paid as soon as the Austrian troops were put in motion: they were accordingly put in motion, and the first instalment paid.---In the month of February following Austria changed her plan; and made the treaty of partition with the courts of Peterburgh and Berlin.---If this be true---(and I have it on authority, which to me is conclusive)---it must be owned, that the emperor has made a good progress in the school of

Prussia; and the Turks must have a high opinion of the good faith of Christians. —For the honour of the Christian name let us hope, that it is not true!—

From this account, sir, it is plain that the empress of Russia does not adhere to truth, when she says that the court of Vienna was desirous of contributing to the success of her views in Poland: since it is plain, that, so long as Russia pursued her first apparent plan, the house of Austria gave visible marks of disapprobation: that the neutrality observed at the beginning had not the friendly air of an ally, but the dark, suspicious look of a jealous rival: that not the shadow of a concurrence was to be seen, till Russia had consented to,—and stepped forth to take on herself the odium of—measures, contradictory to her first professions, and repeated declarations; inconsistent with her own interests, and those of Austria, and derogatory to the honour of one and the other:—measures, which ought to have united every
power

power in Christendom against her, and her allies.

You will perhaps tell me, sir, that if the measures at first pursued by Russia were good, and advantageous to Poland, the concurrence of Austria ought to have been a matter of indifference to the Poles; they ought to have joined heartily with Russia.—Most certainly they ought. But you must not forget the situation of the Poles; they were accustomed to a lawless anarchy; their government and education tended to inspire only a spirit of unsocial selfishness: every one was (to use the words in the same sense, your doctor Brown has done) “*in se ipso teres atque rotundas* :” it was not an easy matter to make them coalesce; to make them unite in any public plan; especially so long as they could flatter themselves, that the jealousy of the house of Austria would lead her to oppose, or counteract the designs of Russia. One honest declaration from the court of Vienna would have

have changed the face of things ; would have produced that union, which was necessary to procure order and happiness to Poland.

But no such declaration was ever made.

Had the empress of Russia fairly stated things, as they are, in her Manifesto, she would have said :—" I had the best and
" most friendly views towards Poland :
" but the love of anarchy had taken such
" deep root in the minds of the Poles, that
" too many of them joined but coldly in
" the execution of these designs : the jealousy of the court of Vienna, and the
" insatiable ambition of the court of Berlin, estranged still more from me the
" minds of the Poles ; excited a spirit of
" faction and discontent ; and destroyed
" the confidence I had laboured to acquire,
" and had a right to expect. By the rash
" credulity of the Poles, and by the vile
" artifices of the others, I am now reduced to adopt measures, which my
" heart disapproves, and my honour condemns ;

“demns; and I shudder with horror,
 “when I foresee that the historian will
 “deliver down my name to posterity,
 “with the disgrace of having betrayed
 “and ruined a nation, whom I wished,
 “and had solemnly engaged to protect,
 “and establish in the full possession of
 “their rights, and liberties, and laws.”—

That this would have been a fair state of the empress of Russia's sentiments I am thoroughly convinced.

The conduct of the Imperial court you have already seen. Let us now examine that of the court of Berlin.

The king of Prussia did indeed seem to concur with the empress of Russia, whilst he was really counteracting and controuling her. And he has succeeded in making her, as well as Austria, the blind instruments of his own greatness.

He had many and strong reasons for excluding any prince of Germany, and especially the house of Saxony, from the throne of Poland; though the last two
things,

things, which had sat upon that throne, had not had parts enough to derive any advantage, or consequence to themselves from the accession of such a kingdom; yet, in former times, that house had been blest with great princes; and it was possible that it might be so again. A prince of genius might yet arise in it, or a minister might be found, who would not, like Brühl, place his supreme happiness and grandeur in the elegance of his entertainments, the richness of his side-board, or the childish pride of having a suit of cloaths for every day in the year, and a snuff-box for every suit. And should such a prince or minister arise, the king of Prussia knew what he had to fear. He had felt too strongly what Augustus III. might have done in the last war, (had he or his minister known how to govern) not to prevent being exposed to the like danger again.

So far then as regards the exclusion of the house of Saxony, and the recommendation

dation of a native to the throne of Poland, the court of Berlin concurred most heartily and sincerely with the empress of Russia. But as there the idea of mutual interest stopt, there too his cordiality and sincerity expired.

He saw with uneasiness every step, which Poland made towards order and good government; but he was too good a politician to let that uneasiness appear too soon. He knew the empress of Russia was sincere and earnest in her projects: he dared not openly oppose her at first: he had no other ally in the world; Austria hated him, France was jealous of him, he had ruined Saxony, his ingratitude had alienated England, a rupture with Russia would leave him a solitary friendless power; and would probably accelerate the very event he wished to defeat. He determined therefore with one hand, secretly to undermine the fabric which, with the other, he seemed openly to co-operate in rearing. Many circumstances

cumstances concurred to favour his secret machinations; and not one escaped him. The patriotic zeal of the king of Poland might be worked up to a spirit of enthusiasm. The reformation of abuses would give discontent to all, whose over-grown power had set them above the laws; they would draw in their dependents, and adherents, who, together, made no inconsiderable part of the citizens. The partizans of the house of Saxony would increase the number of the discontented: the aversion between the empresses of Germany and Russia would give them hopes of being abetted and supported by the former: the confidence between the king and his people might thus be lessened, or destroyed: the pretensions of the Dissidents had already alarmed the fears of the superstitious and fanatic: the manner in which the diet of election had treated these pretensions, had offended the empress of Russia: by persuading her, that it was not only inconsistent with her dignity

nity to relax any thing of what she had once demanded in their favour, but that even greater advantages should now be insisted on, the nation might be irritated, and again refuse them even what was reasonable: this refusal might then be attributed to the ingratitude of the king of Poland and his family: the mutual harmony between the empress and him might thus be broken: all must then fall into confusion: Russia might endeavour, as in the late reigns, to support her influence by arms: the Poles might resist: France, from the moment of the interregnum had been endeavouring to animate the Turks against Russia: Austria was suspected of concurring in the same intrigues: should that war break out, he should become necessary to Russia; and whatever might be the event, the empress would consider the Poles as the immediate cause of it; and, her resentment once kindled, he might make proposals which would now shock her integrity.

As

As far, sir, as one can judge of causes from effects, these were the ideas the king of Prussia formed to himself at first; at least his conduct, and that of his minister at Warsaw, appeared to have been regulated by them.

I do not pretend, sir, that every thing which has happened in Poland, has been the effect of a regular pre-concerted scheme. Much is to be attributed to chance; all I contend for, is, that this was the plan the king of Prussia seems to have formed. Many circumstances concurred to the success of it, which he could not foresee, but which he watched with unabated attention; sticking at nothing that could insure success.

As the grievances of the Dissidents were, though not the real, yet the ostensible cause of the succeeding troubles, it will be necessary to begin by explaining what were their original rights; and how far these rights had been infringed.

The

The doctrines of Calvin and Luther met with an early and willing reception in Poland. Under the reigns of Sigismund I. and Sigismund Augustus, their professors were particularly distinguished and favoured at court: those, who adhered to the Greek church, were many and considerable. At the death of Sigismund Augustus, the number of Greeks, Lutherans, and Calvinists, taken together, was, to the number of Catholics, as six to one.

The death of this king, sir, is the æra of the republic. He was the last “ Dominus & Heres.” All the laws promulgated before, were by the sole authority of the king, “ cum consilio solum baronum.” His grandfather was the first who assembled the representatives of the equestrian order; and they were then assembled, not so much to enact laws, as to declare their consent to the levying of new taxes. They were the counsellors, not the co-legislators, of the king. Things

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were

were on the same footing under the reigns of Sigismund I. and Sigismund Augustus. At the death of the latter, the legislative power devolved to the nobles.

The first diet was called in the year 1573, by Firley, a Protestant, and great marshal of the kingdom.

Germany was yet bleeding from the wounds of a long and cruel war, which Charles V. had excited under pretence of defending the Catholic faith: France still trembled beneath the bloody sword of Catherine of Medicis: these were dreadful warnings. The Poles, instructed by their neighbours' example, determined on a mutual toleration, in the fullest extent of the word: to avoid a hateful distinction of sects, a phrase was adopted, which should comprehend them all — “Nos
“*Diffidentes in Religione.*” Eternal love and friendship were mutually sworn: the difference of religious sentiments was to create no difference in their civil capacity: the idea of a dominant religion, was to be
for

for ever banished; all were to be equally eligible to any post and employment in the state: whoever excited any quarrel on the subject of religion, was declared an enemy of his country; and, as such, to be put to death: this was acknowledged by all, as a fundamental law of the new constitution, and for ever unchangeable; and to be inserted as one of the first articles of the "Pacta conventa." To the observance of which, every king was solemnly, and by oath, to bind himself.

If you consider, sir, the occasion and circumstances of this law, you will at once see, that it differs widely from any common emanation of the legislative power. The supreme legislative power can, most certainly, by any subsequent act, revoke and annul whatever has been instituted, or done by any former act of its own; but place this power where you will, whether in the hands of one, or many; there are acts, which it cannot do; rights, which it cannot annul; pri-

vileges, which it cannot abrogate : and, surely, this was one. The different sects were, at the time of passing this law, in the state of independent contracting parties. This law was the mutual compact, which was to bind and unite them in one state or society : it could not therefore be broken, *de jure*, without the free and unanimous consent of them all.

Unhappily for Poland, sir, though the Protestants and Greeks were far superior in number and consequence, to those of the Romish church, when this law was past, they defeated its effects by two imprudent concessions : they consented, that the king should always be elected from the latter communion ; and that the lands and possessions affected to the Romish church should remain unalienable. Had they considered sufficiently the genius of the Romish clergy, and their indefatigable zeal of making converts, they would not have made these concessions : they would have left the throne open to
can-

candidates of either sect; diminished the excessive revenues of the Romish clergy; subjected them to the same courts of justice as the laity; lessened the number of convents; and secured to the clergy of their own sects such establishments, as would enable them to counter-balance the power of the Romish clergy. Had they done this, they would have afforded to Europe the first example of a perfect toleration; avoided the subsequent disputes on religion, and been now a great and flourishing people.

And in fact one, and that no inconsiderable party, proposed to place Szafraniec, a Protestant, on the throne. But respect for the princess Anne prevailed: she was considered as having pretensions to the crown: and it was determined to elect a king, who should espouse her. Henry of Valois was chosen, but soon abandoned Poland. Stephen of Bathory was then elected; and to obtain a wife and kingdom changed his religion; for Anne

was strongly attached to the Romish faith; and, without the junction of her party, that of Stephen was too weak to make head against Maximilian.

Anne, not satisfied with favouring the Catholics during her own life, determined to secure them a protector after her death; she sent for her nephew Sigismund from Sweden; confided the care of his education to the Jesuits, who inspired him with their own zeal of conversion; and, which is the inseparable companion of that zeal—the spirit of persecution. Elected afterwards to the throne, he proved a worthy and grateful disciple of his masters; their counsels directed him in every thing; their authority was full and exclusive: a long reign of near half a century was dedicated to the sole purpose of extending the power of the church of Rome. The dogmas of the Greeks differ little from those of the Romish church; many of them were persuaded to form a sort of motley religion

gion under the name of United Greeks; the Protestants could obtain no employments: it was therefore no wonder, that with pofts in one hand, and every species of chicane in the other, the king converted many of them. Colleges were built for the Jefuits in every part of the kingdom; and to them was given the exclusive right of public education.

Sigismund, intent on fulfilling the duties of a monk, forgot thofe of a king; he gained many converts; destroyed many Protestant churches; erected many convents; founded many feminaries: but he was deprived of the kingdom of Sweden; loft to Poland the provinces of Livonia, Moldavia, and Walachia; and laid the foundation of that dreadful rebellion of the Cossacks, which broke out in the reign of his fucceffor; and defolated Poland for near half a century.

The name of "Diffidents" had hitherto comprehended the Romish, as well as the other fects: but the former being now

grown stronger, affected it only to the non-united Greeks and Protestants; hence the idea of the dominant religion was attributed to the church of Rome. Still, however, the Greeks and Protestants maintained their right of eligibility to the legislative and executive powers, almost undisputed. In all the diets, ordinary, and extraordinary, free and confederated, this perfect coequality of all the different sects is repeated and recognized as a fundamental law of the kingdom. The Catholicks indeed called in to their aid the Jesuits' doctrine of mental reservation, by adding to their signature of the laws and constitutions "Salvis juribus ecclesiæ Romanæ."

Ladislaus did not follow the plan of his predecessor; he endeavoured to reconcile the different sects; but the spirit of party and fanaticism was now gone forth, and his attempts to quiet it were vain.

John Casimir did not love the Protestants; but policy, and a regard for the interests

interests of his people got the better of his private resentments : he protected them. Under his reign the peace of Oliva was concluded, which expressly stipulated, that “ all the subjects of Poland, of “ whatever condition, or Christian sect “ they might be, should be reinstated in “ all their rights and privileges, whether “ civil or ecclesiastical, which they had “ heretofore enjoyed, according to the “ laws of the kingdom.”—Now no law had hitherto been past against the Greeks or Protestants, derogating from that co-equality declared at the institution of the Republic.

The reign of Michael was short ; and an unhappy war against the Turks left no time to think of private dissensions.

John Sobieski protected the Protestants ; but they had lost much of their consequence, by insensibly losing their place in the senate : for though no law had yet declared them inadmissible, yet as the nomination depended on the king, and the
kings

kings had always been Catholics, they had named none but those of their own communion.

Augustus II. was a new profelyte; and shewed all the zeal new profelytes are wont to shew in proof of the sincerity of their conversion. A diet assembled in the year 1717, past the first law against the public exercise of the Protestant religion: the law was drawn up by a bishop, with an affected obscurity; it was read but once; tumultuously past: and the diet dissolved at the end of seven hours, from its first assembling. The time, however, was not yet come, when this violation of that original contract between independent parties could be carried without opposition. Another diet was summoned the year following, when this article was explained, and declared to respect only the abuses, which had crept in during the war with Sweden. The words of this explanatory law are:—" *Dissidentes circa anti-*
qua jura & privilegia conservamus:
" abusus

“abusus vero, prævio processu solito, in
 “foro usitato *lege veteri* tollantur.” But
 Augustus kept firm to his purpose; during
 his reign he called no Protestants to the
 senate; conferred no charges on them:
 he added four bishops to the motley sect of
 united Greeks: he committed the massacre
 at Thorn.

The decisive blow was struck under the
 reign of Augustus III. in the year 1736.
 The Catholics began by forcing from the
 house all the Protestant nuntios; and then
 passed a law, which declared them incapable
 of all civil posts and employments what-
 ever. During the whole of this reign
 things continued on the same footing:
 few diets were held; and the Greeks and
 Protestants could never obtain the repeal
 of this law; and found themselves daily
 exposed to new chicanes.

But, sir, whilst I endeavour to state the
 rights of the Greeks and Protestants in the
 strongest point of view; though I am
 thoroughly convinced these rights were
 founded

founded on a constitution, which no subsequent act of the legislature could de jure annul: yet I will candidly own, that the seduction of so many of them to the church of Rome, and the consequent diminution of their numbers and consequence, had made so important a change in their situation, and relative proportion to the whole body of the nation, that I think a part of their rights ought to have been sacrificed to that first supreme law, antecedent to all others,—the good of the people. I think, the decision of the canon law, was applicable to a part of their rights:—"Quod fieri non debuit, factum valebat." Though they were originally co-equal in every respect with their fellow-citizens, yet as now their number was so small, and their consequence so little, perhaps all they should have asked for, was the free exercise of their religion, and to be put on the same footing in their civil capacity, as the Dissenters from the established church in England, without reviv-
ing

ing their ancient claim of entering into the legislative or executive parts of government.

But whether the empress of Russia was really struck with the justice of their original rights : whether she was seized with the singular idea of being the first Christian sovereign to employ the civil power in defence of a general toleration ; or whether she meant, by securing and protecting the rights of the Greeks and Protestants, to form a strong party in the republic, her ministers had orders to present a memorial to the king of Poland, soon after his election, reclaiming in favour of the Greeks and Protestants all their ancient rights, liberties, and prerogatives. The memorial was in course referred to the states ; and though the king recommended it to their most serious attention, they were so far from paying any regard to it, that they confirmed, in their full extent, the constitutions against the Dissidents of the year 1717, and 1736.

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The empress did not desist from her purpose. Her ambassador presented a second memorial in favour of the Dissidents, to the confederated diet of 1766. It was drawn up in the strongest terms; and de-

i°. That the churches, which belonged to them of right, and had been illegally taken from them, be restored; with full liberty to repair, or rebuild those which had fallen into decay; where they might exercise undisturbed all the rites and ceremonies of their respective communions; in the same manner, and with the same freedom, as in Greek or Protestant countries.

2°. That in all cities, towns, or villages, where there is no Greek or Protestant church, leave be given to the said communions to build one, if they see fit; and the priests or pastors be in no wise molested by the ecclesiastical courts.

3°. That the payments made by the
Greeks and Protestants to the Catholic cu-
rate, on account of baptisms, marriages,
6 burials.

burials, &c. which are now uncertain and arbitrary, be either abolished, or fixed, once for all, to a moderate sum; to be considered as an acknowledgement of the dominant religion.

4°. That the Greek seminary at Mohilow be not in any manner molested; but allowed all liberty in the education of the Greek youth.

5°. That the bishop and bishoprick of White Russia be for ever maintained in the Greek church; and all the other Dissidents in their respective communions.

6°. That no Greek or Protestant priest, or pastor, be obliged to appear, on any account whatever, in the ecclesiastical courts; but that they do depend entirely on the civil courts.

7°. That no hindrance be made to the marriage of persons of different sects; and that the daughters of such marriages do follow the religion of the mother; and the sons that of the father.

Having thus precisely determined, what was the redress expected in ecclesiastical matters

matters, the memorial goes on to assert the co-equality of all the different sects in their civil capacity ; but the empress does not take upon herself to fix, but leaves it to the Catholics to determine, by way of treaty and negociation with the Greeks and Protestants, what part they should be entitled to in the administration of government. Serious and earnest in her proposal, the empress engaged the courts of London, Copenhagen, Stockholm, and Berlin in the same cause.

As her demands were hitherto moderate ; as every principle of justice and equity required, that the Dissidents should be allowed the free exercise of their religion ; and as a door was left open to compromise their demands in their civil capacity, it may seem astonishing, that the Poles did not at once come into the proposal made by the empress, and supported by powers every way so respectable.— That they did not, sir, was the effect of the honest politics of the king of Prussia.

Nothing

Nothing could be farther from his wishes than to see the Diffidants re-established in their rights. The hardships exercised upon them in Poland had driven many of them to take refuge in his dominions. Should their rights be re-established, many would naturally return to a country where their civil liberty was greater ; where they could not be forced to enlist ; where taxes were less burthensome ; and where honest industry met a surer recompence. He was therefore never supposed to be sincere in his wishes of success to their cause ; and he took sufficient care to let their warmest opponents understand, that he was not so.

His minister at the court of Warsaw had a great advantage over the Russian ambassador; the latter was a young man, warm, impetuous, and accustomed to think that in Poland, as in Russia, every thing should yield to the will of his sovereign. The Prussian was a French refugee, cunning, artful, without friends, fortune,

fortune, or connexions ; under the mask of that species of openness, which the French call *naiveté*, he insinuated himself into the confidence of the Russian, and worked upon the warmth of his temper, so as to make him endeavour to carry by force, what he might certainly have obtained by manners more gently and insinuating. By these means the whole odium was thrown upon Russia.

The public memorials presented by the Prussian minister in support of the Dissidents lost all their weight, by the secret assurances given at the same time to the bishops, and most bigotted of the laity, that his master would not be offended, should little or no regard be paid to them. As a proof of this I can positively assure you, that a member of the diet, who had reluctantly signed the constitution which rejected the demands of the Dissidents, and which had been framed and supported by the bishop of Cracow, told this prelate :—
“your excellency has persuaded us to pass

"a resolution which cannot fail of bring-
 "ing on us the resentment of our neigh-
 "bours:" the bishop, laying his hand
 gently on the nuntio's shoulders, answered:
 "Be persuaded, sir, I should never have
 "counsell'd you to this step, if I had not
 "the most positive assurances from the
 "king of Prussia, that he would bear us
 "harmless in it." I aver this on my own
 certain knowledge: business had called me
 at that very time from Dantzic to Warsaw;
 and I was, by accident, near enough to
 hear the conversation. The event has
 proved what reliance is to be had on the
 promises of this prince: the ambitious
 prelate has been a martyr to them.

The king of Poland, with the most sen-
 sible part of the nation endeavoured all
 they could to avert the impending storm.
 They endeavoured to prevail on the em-
 press to desist from her enterprize: but
 not succeeding there, they represented to
 the nation, that, either they must begin
 by granting the points, which regarded

the free exercise of religion; and then endeavour to persuade the Dissidents in friendly conferences, to restrain their demands, in their civil capacity, to a full and perfect security for their persons and possessions; and to give up their pretensions of eligibility to posts and employments:—or, if they were determined not to treat with the Dissidents, as their co-equals, but to regard them merely as a sect tolerated by government, and therefore to grant them nothing in their civil capacity, but what they would receive as an act of grace; if they wished to assert the independence of their government; and to exclude the interference of foreign powers in the internal administration:—they must weigh well their own situation, and the power of their neighbours; and at all events do nothing by halves: they should convince their neighbours that it was not the rash decision of a tumultuous council, but the resolution of a brave people, determined to support it at the hazard of their lives and fortunes: that they should there-

therefore put themselves in a situation of augmenting the troops, and employing them in defence of their country, by passing a law, that any motion for the augmentation of the army should not be subject to be set aside by the exercise of the "liberum veto;" but passed or rejected by a plurality of voices.

Misled by the insidious promises of the king of Prussia, relying for protection on the empress queen's known attachment to the Romish church, and supposed disapprobation of the measures of Russia, the nation determined to reject the demands of the Dissidents; but promised at the same time, by every thing solemn, and sacred, to enable government to support and maintain that refusal, by voting, that the augmentation of the army should depend on a plurality of voices.

The demands of the Dissidents were accordingly rejected; the bishops, their natural antagonists, were constituted their judges, and drew up a set of articles,

which were far from contenting them; and which—to speak of them in the gentlest terms—were certainly captious.

But when the other point came to be debated, it was visible what an ascendant the artifices of the king of Prussia, and the menaces of Russia, had gained.

The king had endeavoured in vain to modify the resolutions taken against the Dissidents: finding the prejudices too strong to be conquered, he had yielded to the desires of his people, on the express condition, that the other point should be carried at the same time; but here he was shamefully abandoned; the confederation was dissolved, and the augmentation of the troops still left to the decision of an unanimous diet*.

* It has been thought, and perhaps with some degree of reason, that the king of Poland, abandoned by the Catholic party, ought to have joined with the Dissidents. It should, however, be considered, that neither the number nor consequence of the Dissidents were now sufficient to have sup-

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The king of Prussia took every advantage of this unsuccessful attempt. On the one hand his minister represented it to the nation, as a design to change the constitution, and destroy the liberty of the subject: on the other, the jealousy of the court of Petersburg was alarmed, and the empress persuaded, that the king of Poland had forgotten his obligations to her; that her influence was at an end, unless other measures were pursued; that new alliances would be formed, and new protections sought. He succeeded but too well on both sides; the consequence of the king of Poland's having seen, and honestly pursued the interests of his country, was to find his best ally disgusted, his people disaffected, and his hands tied up from serving or saving them.

ported him against the Catholics: and that they had thrown themselves so entirely into the hands of Russia, that the king must have seemed to have joined her too in opposition to his own people.

In the beginning of the year 1767, a declaration was published in the name of the empress of Ruffia, accompanied by a letter from her prime minister Panin, to her ambaffador at Warfaw, in which the empress is declared protectrefs of the confederation formed by the Diffidents, in fupport of their rights; the attempt to fubmit the augmentation of the army to the decifion of a plurality of voices is represented in the moft odious colours, as an attack on the liberties and constitution of Poland; the king and his family are plainly pointed out as having formed the defign of acquiring an abfolute authority; the very meafures fhe had before promoted, and which conftitute the greateft part of her merit, with refpect to Poland, and which in the Manifefto I lately fent you are again qualified with the title of “ Ufe-
ful and Salutary,” are condemned; and the nation in general is invited to join the Diffidents, and unite in one general confederation for the redrefs of all their
grievances.

grievances.—There is a disingenuity and low artifice in these papers, that, for the honour of the court of Petersburg, would make me hope they did not originate there, but were the work of the only prince in Europe who seems capable of descending so low. They produced, however, their effect; and so much the sooner as emissaries were employed by the ministers of Russia and Prussia, to enforce and explain the arguments made use of in the declaration and letter; and to fan the latent fires of discontent.

I told you in my first letter, sir, the steps the king of Poland had taken to reduce the overgrown and dangerous power of many of the great officers of state. This had offended not only those in possession, but all who aspired to them in future; and though at first sight it should seem, that the dividing of their power would multiply offices, and so make provision for greater numbers, yet you must remember, the number of the commissioners

sioners was limited, and their salaries fixed; whereas before hundreds had shares in the public depredations, which were unlimited: the post of a commissioner required attendance, labour, and order; things little known, and less relished in Poland; in short, sir, the Poles seem to have regarded the posts in their government, as you in England regard the prizes in your lotteries; were the 20,000*l.* divided into twenty shares, every adventurer would have a better chance of winning something; and yet most certainly there would be fewer adventurers.

The electress dowager of Saxony could not see, with patience, her family excluded from the throne of Poland; unable to reinstate it by honourable means, she formed cabals; fed the hopes of her partizans by promises and bribes; assured them of support from the court of Vienna; appealed to the coldness and disapprobation of the present measures, which that court visibly shewed.

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If you consider farther, how many more the love of anarchy and licence would dispose against a government, which had tried to reduce every thing to subjection to the laws, you will not be surpris'd, that the emissaries of Russia and Prussia, supported by the declaration and letter, I mentioned, were able to draw in a great number of discontented citizens.

They formed a second confederation; and though this class of Confederates consisted of the very bishops, and others, who had spoken and acted so warmly against the Dissidents; yet, such is the force of party rage, that they acknowledged the confederation of the Dissidents to be lawful; joined with them in one general confederation at Radom, under the protection of the empress. Prince Charles Radzivil a man of extensive fortune, and great family, but of mean parts, and imbruted by a long habit of debauchery, was chosen marshal: unequal to the task, he was put under the guidance and tuition of a Russian

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an officer. The confederation, as soon as formed, deputed ambassadors to the empress of Russia, demanding her protection and guaranty.

By this stroke the power of the king was annihilated: he could only sit still, a simple spectator of the misfortunes his people were bringing on themselves; and which they never would have felt, had they listened to his counsel in the last diet, or stood by him when he offered to risk his life and crown in support of their independence.

In the month of October, 1767, an extraordinary diet was assembled: this diet not only appointed a committee to examine the pretensions of the Dissidents, and the supposed grievances of the nation; but vested it with full power to satisfy the one, and redress the other, by fixt and permanent laws. The committee granted more to the Dissidents, than had ever been asked; and, under pretence of redressing grievances, formed a code of laws, which, had

had it been less exceptionable in other respects, was yet inadmissible, as it was declared perpetual and unchangeable; and as such guarantied by the empress of Russia:—as if the idea of liberty, and the immutability of the laws were inseparable:—as if every nation had not a right of changing its constitution, as change of circumstances may require:—as if any other power had a right of interfering in the internal administration of a free and independent state?

I will not carry you, sir, through a long detail of the resolutions of this committee; I will not shock you by a repetition of the acts of violence made use of against those who opposed it: I would only desire you to remark, that though the Prussian minister had contributed by his artifices to draw the Poles into this snare; though he had animated the Russian ambassador, and inflamed a temper too ready of itself to fly out into unpardonable excesses; yet he demeaned himself so, that the whole odium of the proceeding fell upon Russia.

No sooner was the diet dissolved, than the discontent of the nation broke forth with tenfold fury. The emissaries of Saxony and Prussia heightened it; and artfully represented the king as having secretly joined with Russia in ensnaring them. Though the king had acquired no one personal advantage; though almost every law enacted was directly contradictory to all his ideas, and that system of order and regularity he so plainly wished to introduce; though the labours of his whole reign were frustrated by this absurd incoherent code; though the radical vice of the government, the "liberum veto," was extended to objects, it had hitherto respected; and was even guaranteed by Russia, in direct contradiction to the known and avowed ideas of the king, expressly imputed to him in the declaration of Russia.

Too many of the nation unhappily imbibed these prejudices: ashamed of having been the dupes of Russia; ashamed of
that

that spirit of party rage, which had drawn them into the snare; without virtue enough to return to their duty; without greatness enough to forgive the man they had injured, they attempted to justify their past errors by fresh outrages. Instead of considering the king as the party who had suffered the most essentially; instead of consulting with him on the best means of undeceiving the empress of Russia; instead of waiting for a favourable moment to re-assert their common rights, and defend their common cause; they broke out into acts of precipitate violence: without digesting any plan, they formed separate confederations; which, for want of concert and unanimity, exposed them every where to be beaten by the Russians.

The empress of Russia still took upon herself the odium of all: the king of Prussia hung back; his declarations were cold, or partial, or tended only to confirm that fatal error, that the maintaining of the
king

king on the throne was the cause of all the troubles. Instead of vigorously opposing the confederates, which, had he seconded the designs of Russia (as the empress asserts) he would have done, he suffered different detachments of his troops to be beaten by them with impunity.

It was not, sir, till the year 1770, that he took an active part. And let us see, whether the part he then took, was such as became the ally of a princess, who declares her constant endeavours to have been directed to the good of Poland.

A private dispute had arisen between the magistrates of Dantzic and the Prussian consul. To revenge himself on the magistrates, he pretended they opposed the levy of recruits for the Prussian army. The king of Prussia, accustomed to be judge in his own cause, did not remonstrate with the magistrates, came to no explanation with them; a party of troops were sent; the out-posts of the town surprised; the city amerced in the sum of

one hundred thousand ducats; and then, under pretence of reclaiming some subjects, who had fled from the tyranny of his government, he carried off more than a thousand young men to recruit his army.

His troops entered into Great Poland, in the year 1771; and during the space of that year, he carried off from that province and its neighbourhood, at a moderate computation, twelve thousand families.

On the 29th of October, in the same year, an edict was published by his Prussian majesty, commanding every person, under the severest penalties, and even corporal punishment, to take in payment for forage, provisions, corn, horses, &c. the money offered by his troops and commissaries. This money, sir, was either silver, bearing the impress of Poland, and exactly worth one third of its nominal value, or ducats struck in imitation of Dutch ducats, seventeen per cent. inferior to the real ducats of Holland. With this

base money he bought up corn and forage enough, not only to supply his army for two whole years, but to stock magazines in the country itself, where the inhabitants were forced to come and repurchase corn for their daily subsistence, at an advanced price, and with good money, his commissaries refusing to take the same coin they had paid. At the lowest calculation, sir, he gained, by this masterly and honest manœuvre, seven millions of dollars. He says somewhere in his *Memoirs*, “ Les politiques ont relegué la
 “ candeur dans la vie civile ; et ils se
 “ voyent si audeffus des loix, qu’ils font
 “ observer aux autres, qu’ils se livrent
 “ sans retenue à la dépravation de leur
 “ cœur.” By this account, sir, he is a great politician, for his heart is vilely depraved. Having stripped the country of money and provisions, he thought it, I suppose, an act of humanity to thin it still more of inhabitants. He hit upon a new contribution ; every town and village was

obliged to furnish a certain number of marriageable girls; the parents to give, as a portion, a feather-bed, four pillows, a cow, two hogs, and three ducats in gold. A letter I received from Posen, in the month of March last, informed me, that a little town, called Korztrzym, with its dependencies, was forced to furnish general Belling fifty marriageable girls, with each this portion; and a correspondent I have at Stargard, a town belonging to the king of Prussia, informed me about the same time, that several waggons filled with this new kind of contribution had passed through that town.

His exactions from the abbeys, convents, cathedrals, and nobles were so heavy, and exceeded at last their abilities so much, that the priests abandoned the churches, and the nobles their lands. Those whom age or infirmities prevented from flying, were bound hand and foot, and carried off as criminals. May I not once more, sir, be permitted to apply the

words of this philosophic prince to himself? “ Il étoit bien singulier, qu’il traitât avec cette dureté excessive un pays ami, dont le prince n’avoit donné aucun sujet de plainte!” These exactions continued with unabated rigour, from the year 1770 to the time the treaty of partition was declared, and possession taken of the provinces usurped. The loss of inhabitants is not easily to be calculated; that of money has been, I believe, moderately computed at three millions of ducats.

And yet this is the man, sir, whom the empress of Russia dignifies with the title of her faithful ally; and whom she declares to have co-operated with her in the great design of rendering Poland a free and happy people. He a faithful ally, who hurried her ministry into acts of violence, into breaches of the law of nations, which no necessity can justify, and which defeated the very designs she had in view; who alienated the affections of the nation she laboured to conciliate; whose

whose intrigues contributed to bring on her the arms of the Porte, and rendered ineffectual the congress for a peace? He co-operate in rendering Poland free and happy, who has laid it waste for three whole years, by at once the lowest and most cruel acts of tyranny and rapacity? His alliance to be boasted of, with whom, if he were a private character, no honest man would associate?

Excuse this warmth, sir, I am writing to an Englishman. You have taught the world this noble lesson, that a prince, who to acts of arbitrary violence joins the basest artifices, in order to deprive his own people of their rights and liberties, forfeits deservedly the allegiance of his subjects. Allow us at least to think, that the prince who uses the same vile means to enslave a free and independent state, deserves no respect from the public. Conquerors have often forced from us involuntary regard; but an incendiary is always viewed with horror. The de-

vastations of war may sometimes be justified by the plea of necessity; but the prince who, in the midst of peace, and with his coffers full, can meanly enrich himself by the coinage of false and base money, may surely be treated with contempt.

After all, sir, I may justify this warmth by his own authority, and in his own words: "J'ai blâmé le vice en lui, avec
" hardieffe parceque le vice ne doit pas
" trouver d'azyle sur le trône."

I am, &c.

LETTERS
CONCERNING THE
PRESENT STATE
OF
POLAND:

LETTER III.

THE HISTORY OF

THE

REIGN OF

CHARLES THE FIRST

BY

JOHN BURNET

OF THE UNIVERSITY OF OXFORD

IN TWO VOLUMES

VOLUME THE FIRST

LONDON

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W

L E T T E R S
CONCERNING THE
P R E S E N T S T A T E
O F
P O L A N D.

Brussels, Dec. 24. 1772.

MY DEAR SIR!

WERE a stranger to read the
Manifesto of the three courts,
which I sent you in my first,
would he not naturally conclude, that,
from the beginning of the interregnum,
they had formed an honest and friendly
plan of establishing the liberties of Po-
land on a firm and solid foundation? that
this

this plan had been openly proposed, and invariably pursued? that the Poles had adopted it; and afterwards, through a spirit of levity and faction receded from it; flown to arms, and attacked, without provocation, the allies, they had called in to their assistance?

You have seen, however, that the case is far different; though the plan proposed by Russia at the beginning, appeared honest and friendly; though the soundest part of the nation concurred in it as such, yet the court of Vienna appeared averse to it, that of Berlin counteracted it, excited groundless fears and jealousies, and raised that very spirit of faction and discord, with which they now reproach the Polish nation. The plan afterwards adopted was directly contrary to that which had been first announced; the method of carrying it into execution tended to revolt every one, who felt as a man, or citizen: in a word, every species of insult and oppression was exerted with
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an unrelenting wantonneſs, in order to force Poland to give up its own exiſtence as a ſtate.

From this proof of diſingenuity and artifice in the relation of their paſt conduct, you will ſcarcely be induced to pay great regard to the profeſſions of their future deſigns. I will examine them with all the coolneſs and candour ſuch a ſubject will permit; but at the ſame time with that honeſt freedom I have hitherto uſed. To think freely is the only right they have left untouched; and of this at leaſt no tyrant ſhall deprive me while I live.

Theſe humane protectors of nations declare theſe to be their preſent purpoſes: —to prevent the arbitrary diſſolution of Poland;—reſtore order and tranquillity; —re-eſtabliſh the ancient form of government;—and that, by the way and merely as a collateral circumſtance, they mean to indemnify themſelves for certain ancient claims and pretenſions:—and they do not ſcruple to affirm, that the meaſures they
are

are pursuing are the most effectual, and best adapted to these ends.

What would they have us understand by this threatened dissolution of Poland? or, to use their own fantastic term, this arbitrary decomposition of it? A kingdom may be dissolved two ways, by external violence, or internal commotions. If Poland tends either way to dissolution, who are to be thanked for it? are the measures of these usurpers calculated to hasten, or prevent it? Its internal government has indeed received such rude and continued shocks, that it trembles from its foundation; but their hand gave them: still they are afraid it will not fall to pieces soon enough, and therefore tear it asunder, strip it of its best and most fertile provinces, preclude it from all commerce and communication, shut up every avenue to amelioration, and improvement.—And this is to prevent its dissolution.

Here,

Here, Sir, no reasoning is possible; the fact speaks for itself in terms too strong to be enforced. To believe this the way of preventing the dissolution of a kingdom is a proposition too glaringly absurd to be swallowed by the faith of an apostolic queen; defended by the sophistry of a royal infidel; or palliated by the arts of a court, which has undertaken to vindicate every breach of social, conjugal, and maternal duty.

Still they say, in taking from Poland so large a part of its demesnes, they are determined to consult the happiness of the rest, by restoring order and tranquillity; by re-establishing the ancient form of government; and, to give a keener edge to their insults, invite the Poles, in terms of affected moderation, “to lay aside all
“ spirit of discord and delusion, that, a
“ diet being legally assembled, they may
“ co-operate in this important work?”

Though to cut off a man's legs and arms be a disagreeable way of making
him

him still and quiet, let us for a moment suppose, that the kingdom of Poland was so large and unweildy, that these violent operations were become necessary to its repose; what reliance is yet to be had on the sincerity of their subsequent professions? what pledge have they given of the honesty of their ulterior views?

Had their professions been sincere, their views honest, they would have withdrawn their troops from every part of Poland; facilitated the meeting of the diet; waited patiently till all the senators could have assembled; till the members of the lower house could have been freely elected, with all the formalities of the law; they would clearly have explained what they meant by the ancient form of government. Instead of this, the capital of Poland is yet filled with Russian troops; the Austrians and Prussians have advanced far beyond the bounds they at first marked out; and they give an affected obscurity
to

to their designs, by speaking only in general terms.

Experience having taught the king of Poland and his people, that these terms may be applied to signify measures, which, instead of re-establishing the real constitution of the kingdom, may serve only to confirm its ruin, they express a natural reluctance to assemble a diet under circumstances, which must leave it only the blind instrument of the oppressors, and tyrants of their country. The court of Vienna here takes the lead, publishes a second * manifesto in the name of herself and allies, in which they dare to insinuate, that the cries of his country can no longer find their way to the heart of the king; treat as a culpable indecision the repugnance he feels, and ought to feel, against any act which may tend to give the sanction of his consent to their usurpations and cruelty, to the loss of the provinces, commerce, and independence of

* See Appendix, F.

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his people ; add, with unparalleled infolence, that the dignity and juſtice of the three courts preſcribe certain bounds to their moderation ; and threaten Poland with ſtill greater evils, if their wills be not immediately complied with. Theſe threats had already been put in execution, even before they were announced ; already the Auftrians and Pruſſians had advanced into the wretched remains of Poland ; already the latter had extended their depredations and ravages into the little ſpot which had hitherto been ſpared.

To add to the abſurdity and cruelty of their conduct, whiſt they preſs the king to ſummon a diet, in a manner ſo unworthy of the regard due to a crowned head, they take every poſſible method of rendering its deciſions null and ineffectual, They forbid the ſenators of the uſurped provinces to attend : they hinder the election of the nuntios ; though they know, by the laws of Poland, no act can be valid without their concurrence. The king
of

of Prussia goes farther: flattery and promises, threatnings and violence, have been alternately made use of to persuade a prince Sulkowsky to assemble a sort of council at Lissa, which has separated itself from the republic, and declared itself independent of the state. As soon as it was assembled, the Prussian general Lesfow commanded the provinces of Great Poland, under pain of military execution, to send deputies to this council, where he had proposals to make them from his master. As if, when a general national council is demanded, it were permitted to treat with a part of the nation, illegally assembled, forced to assemble by every act of artifice and violence !

But let us suppose the authority of the whole legislative power to be vested in the mutilated remains, which are to meet at Warsaw.—Can they hope to enjoy freedom of debate, whilst the Austrians and Prussians are hovering round the gates of the city ? whilst it is even occupied by Russian troops ? Is another ambassador to

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burst with an armed force into every house; drag the bishops and senators from the arms of their families and friends; hurry them to cold and inhospitable climes; invade the sanctuary of the laws; transfer the senate to his own house; and, with unfeeling haughtiness, tell the astonished members, that instead of complaining that so much is taken from them, they should be thankful that any thing is left them? is another ambassador to dictate to the chiefs of the nation, the orders of a foreign tyrant; tell them, the least backwardness to comply with these orders, degrades them from the rank of reasonable beings, and leaves them unworthy of being applied to by argument; that the least difference in opinion with him, renders them unfit for society? This, sir, has been literally the language, these the proceedings of two Russian ministers at Warsaw.

If at this moment the three powers meant really to re-establish the ancient
con-

constitution, why continue this threatening language, these acts of outrage and violence? The nation would be ready enough to co-operate with them. But it is plain, sir, they do not talk of the real constitution, but of what they have determined to call so.

Now we have a right, I think, to consider that as their determination, which they have themselves lately and formally given as such. In the year 1767 the empress of Russia seized the whole legislative power of Poland: a code of laws was imperiously dictated, by her own imperious minister. If, therefore, we examine the outlines of this code, we shall come at the idea, which the three courts have formed of the ancient constitution of Poland: for you have the empress of Russia's own word, that the courts of Vienna and Berlin approved, and concurred in her measures.

I shall confine myself merely to the capital parts of this code; the whole is such

an indigested, incoherent composition, that no patience can go through it. The young lawgiver did not come prepared to the great work of legislation, with that deep penetration, that acute discernment, that comprehensive view, which characterised a Solon, a Lycurgus, a Numa, or the man bred up in all the learning of the Egyptians. In a code destined to settle the political rights of a nation, you see examined and decided private disputes about property, cognisable by the common and inferior courts of justice. The minister was determined his work should carry its own condemnation with it. The assembling of the committee at his own house was a proof of violence: partial decisions, about private disputes in favour of his adherents, are proofs of undue influence.

A part of this code contains what are called *Cardinal Laws*; and these are declared perpetual, for ever unchangeable, not to be abrogated, or altered, even by
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the unanimous consent of every individual in the nation.

This alone, sir, is a badge of slavery, and degrades the republic from the rank of a state. There is not, cannot be a state without a full and uncontrolled power of legislation. The fundamental laws of other nations are compacts between the governor and governed; should they both agree to alter, or modify, or entirely annul and abrogate them, they are surely masters. Were a king of England to break in upon the privileges of the Great Charter, or the Bill of Rights, the subject might petition, remonstrate; nay, where these mild and respectful measures have not succeeded, they have gone farther; they have asserted their privileges by force of arms. But should the whole nation, to a man, consent to alter, diminish, or even relinquish them, would the kings of France or Spain have a right to oppose it? I repeat it, sir, independence in the exercise of the legislative

power is the first, great, unalienable prerogative of every state.—What then would you say to a foreign power, who, beholding with complacency the ancient form of government in England, should endeavour to force you to re-establish it, such as it was under the houses Lancaster, York, Tudor, or Stuart?—Yet the empress of Russia, under pretence of re-establishing the ancient constitution of Poland, endeavoured to perpetuate abuses infinitely worse and more fatal than ever obtained at any, the most tumultuous period of the English government.

The fifth section of these Cardinal Laws declares, “The kings shall for ever
“be elected by a full and absolute unanimity of all the suffrages; and the crown
“shall never, on any account, be rendered
“hereditary.”

The objection of the Confederates to this article is unanswerable.

“Though by our laws, say they, the
“election of our kings should be unanimous;
ous;

"ous; yet we had it in our power to
 "change, or modify these laws. In the
 "place of unanimity, we could substi-
 "tute the plurality, or any certain pro-
 "portion of votes; or instead of the una-
 "nimity of every citizen, taken man by
 "man, we could substitute the unani-
 "mous consent of the counties, or dis-
 "tricts, taking the plurality of voices in
 "each county or district for the voice of
 "the whole. The laws forbid the king
 "to name a successor; or establish an or-
 "der of succession to the throne: but these
 "laws did not bind the people: they
 "might exercise the right of election; or
 "they might suspend it in favour of any
 "family; or they might entirely relinquish
 "it. The Stadtholders of Holland were
 "formerly elective; they are now heredi-
 "tary; the states have found means of
 "conciliating the liberties of the nation
 "with the hereditary rights of a stad-
 "holder. Had any other power attempted
 "to restrain them from this change.

“ would they not have resented it, as an
“ attack on their independent rights of
“ sovereignty?”

These are the very words of the confederates in their Manifesto: nor can the neighbouring powers make any reply to them, unless they acknowledge the plain matter of fact,—that they wish to establish and guaranty this absurd form of election, merely to perpetuate the troubles, which, according to their own words, almost every vacancy of the throne has excited; —to preserve an odious influence, and leave the door ever open to new acts of violence and oppression.

The throne of Poland was not anciently elective; it was for many centuries hereditary. But had it been elective from the beginning, is there any thing so sacred in antiquity, that a nation must, for the sake of it, be precluded all improvement, and submit to the most fatal inconveniencies?

The

The ninth section declares, "the union
"of Lithuania, and all the other pro-
"vinces and districts with Poland, for
"ever indissoluble; that no change shall
"be made in it; nor any part thereof ever
"dismembered." — Will the three courts
adhere to this part of their code? or how
can they reconcile their present proceed-
ings with it? The same powers who de-
clare in 1767, that the nation cannot,
shall not suffer any part of the kingdom
to be dismembered, declare in the year
1772, that it must and shall consent to
dismember the best, most fertile, and im-
portant provinces.

The seventeenth section declares "the
"liberum veto shall be maintained in full
"force and vigour, in every thing which
"relates to matters of State, which are
"always to be decided by the unanimity
"of all the suffrages: and every nuntio
"shall for ever enjoy the right of annul-
"ling the activity of the diet by his simple
"veto;

“veto; whether pronounced verbally, or
“expressed in writing.”

I have already told you, sir, that the exercise of the liberum veto is by no means a part of the ancient constitution of Poland; and that the first attempt to exert it was regarded with horror. It was, I think, at the diet holden at Grodno in the year 1718, that it first obtained the sanction of a law; even then however its extent was not fixed: besides, time was given for reflection; to make it valid it must be entered in a court of record. But now, to use once more the words of the Confederates, — “a hand
“too much interested in preserving this
“fatal privilege, has extended it beyond
“its former bounds; and what is more
“alarming, declares it immutable. So
“that, should the republic chuse to abro-
“gate, or only limit and confine it to the
“one particular object under debate, in-
“stead of extending it to the whole pro-
“ceedings of the diet; to oblige the pro-
testing

“testing nuntio to assign the reasons of
 “his protest, and allow the one to be va-
 “lid or not, as the others appear to be
 “well or ill founded; this power is
 “taken from her for ever; the fatal veto
 “pronounced by an ill-disposed or cor-
 “rupted, even by a hasty or unthinking
 “nuntio, overturns the most salutary pro-
 “jects without a possibility of ever find-
 “ing a remedy.”

These, sir, are the capital clauses of that part of the code, which contains the cardinal laws. And it is pronounced at the end, as at the beginning, that whoever shall attempt to abrogate them, or any of them, shall be proceeded against, as an enemy of his country. In remarking on these clauses, I have expressly made use of the very words of the Confederates. Bigoted as they are to their ancient customs and abuses, even they could see, that Russia meant only to confirm the nation in a state of abject servility.

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The next branch of this code contains what are called *matters of state*, and comprehend almost every thing that falls within the sphere of the sovereign power; all which are to be decided by a full and absolute unanimity.

This is the more astonishing, as in an answer of count Panin to a memorial of the Polish resident, he attributes all the misfortunes of the republic to the abuses of its government, and those abuses to this very unanimity. Here his own words, sir; “ Dans les tumultes des factions, l’esprit le plus sage plie souvent sous l’esprit du plus altier: le grand nombre, celui de la justice, de la sagesse, et de la raison, est souvent inutile là où l’unanimité est toujours nécessaire.” This paper was given the 27th of November, 1767; and the law of unanimity was extended, confirmed, and rendered immutable in the month of February, 1768.

With-

Without this unanimity (according to the first section of the second branch of this code) "The taxes cannot be heightened; nor their nature changed; nor the rates once established in any wise altered."

"Considering the facility (as the Confederates justly observe) with which our neighbours can prevent this unanimity, the republic is, by this Article, for ever deprived of chusing the mode of collecting its taxes; yet what is right and good at one time, a change of circumstances may, at another, render hurtful: and how absurd is it to fix for ever what in its nature is so changeable? The value of lands may increase, or, which is the same, the value of money may decrease; and yet our rates are to remain for ever the same!"

By the second section, "the troops actually in being cannot be augmented or reinforced, but by the same unanimous consent."

This

This article, fir, was fo far from confirming an ancient law, that it annulled and abrogated a law then actually in full force and vigour. The Palatins, especially thofe on the frontiers, were not only permitted, but even obliged, in times of actual, or imminent invafions, to raife certain bodies of troops: they held their dignities and lands on this very tenure. By the article here cited this duty is difpenfed with; this right annulled, and no other means of defence is to fupply its place. The article needs no comment; the feizures fince made in Poland are its beft explanation.

By the following claufes “no war can
 “be declared; no treaty of friendship
 “or commerce; no alliance, offensive or
 “defenfive, can be entered into without
 “this fame unanimity. In a word, every
 “thing, even that laft feeble refource,
 “which the ftate had referved, of af-
 “fembling the arrier-ban in cafes of ex-
 “treme danger, is fubmitted to it.”

What

What did Rome do worse to Carthage when she had determined on her destruction? What did she worse to Jugurtha, when she had resolved to strip him of his kingdom? She made him give up his horses, elephants, treasures, and arms;—and then demanded his person.

And is this re-establishing the ancient constitution? Is this state of helpless dependence to be the recompence of so many insults offered; so many citizens massacred? this the price of so much wealth carried off; so many provinces usurped?

Yet, that this is what the three courts understand by restoring the ancient form of government, is clear from what one of them has already done. For it was not a hasty and precipitate, but a very deliberate act: every step was taken to give it a respectable sanction; not only the courts of Vienna and Berlin are declared to have approved and concurred in it, but in the act itself those of Stockholm and Copenhagen are named as parties. Nay, as if proud of the rectitude of

her conduct, in the same act the empress declares even the king of Great Britain a party; prostitutes a name for ever sacred to liberty, for the vile purpose of enslaving a free and independent people:—“We, says the preamble, Catherine empress of Russia, and our allies the kings of Great Britain, Denmark, Sweden, Prussia, &c.”—No wonder, sir, that when the Russian minister residing at your court, had read the remarks of the Confederates on this strange code, he burnt the book: it was not so much through indignation at the licence with which the empress’s name is treated, as through fear of the book’s falling into the hands of the English ministry. He did not wish them to know their sovereign’s name had been used to give a sanction to such purposes. They indeed do not, like the ministers of Petersburg, make so florid a display of the philanthropy of their master; they know it to be unquestionable: they do not parade so much about his love of justice, and his

sense of honour; they know it to be above suspicion. The Russian knew it, I suppose, too; he was afraid of awakening a sensibility, which might create an enemy, where his court had hitherto found a protector. He knew too, that this was not the only occasion, on which the empress had made an unauthorised use of the name of the king of Great Britain. In my next letter I shall have a stronger instance to cite.

To render this code still more immutable, Russia guaranties all, and every article; and assumes the power of proceeding against every one who shall, at any time, do any thing contrary to the tenor of it, as enemies to their country, and the empire of Russia. The designs then of Russia and her allies are too apparent; the same code is to be confirmed; the ancient constitution of Poland is no more to be heard of. Were it otherwise, would they not have begun by declaring this code, and her guaranty null and void: without this what is the Polish na-

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tion to do? every attempt to make any change in it is a declaration of war against Russia.

There are few possible cases, where the guaranty of a foreign power can be admitted in matters that concern the internal government of a state; and in these it was never supposed to go farther than protecting that government against acts of external violence. Thus the succession to the throne of Great Britain in the house of Hanover is guarantied by almost all the great powers of Europe: the reason was, a pretender to the throne was supported by a neighbouring power; other and nearer branches of the royal family existed; they might pretend hereditary rights. This guaranty was meant as a bar to their claims; and a security, that no foreign power should disturb the order of succession established by the free and voluntary act of the nation; but it was never understood as an act of compulsion or restraint on the nation itself. It was reserved to the courts of Peterburgh

burgh and Berlin to assume the power of dictating to two free and independent people the form of government they should observe. You have seen the effects in Poland; in Sweden the people have been reduced to the necessity of trusting an almost unlimited authority in the hands of their own king, to prevent the same authority being exerted over them, with greater severity, by two foreign powers*.

* When the author called the power entrusted to the king of Sweden at the late revolution—“an almost unlimited authority,” it is probable he had only seen the first imperfect accounts of that revolution. A pamphlet lately published under the title of “State Papers relative to the Change of the Constitution of Sweden, &c.” which appears authentic, gives a more favourable idea of this revolution: and proves, I think, beyond a doubt, that the king of Sweden has been far from assuming an unlimited authority. To give only one instance: the fortieth article of this constitution says: “the king may not make a new law without the knowledge and consent of the states, nor repeal an old one.”—This surely is

When the three courts acknowledge, that almost every vacancy of the throne is productive of troubles, in which the neighbours are involved as well as the Poles, a plain man would expect, that they, as co-sufferers, should exhort the nation to relinquish a right, which has proved so fatal to them; and establish a regular succession under proper limitations:—when they acknowledge that the great difficulty of obtaining that unanimity, required under the present constitution, makes it equally difficult to settle amicably any difference between

not the language of despotism. Let us hear how the king of Prussia speaks on the same subject. In the Code called the Frederician, Part. I. Book. I. Title ii. Sect. 9. he gives the following directions: “With respect to any orders which we may give
“ from our cabinet, if the courts of justice should
“ think them contrary to this code, they are to re-
“ present it to us, demand our ulterior orders, and
“ conform themselves to what shall in consequence
“ thereof be commanded them by us.” This is the genuine language of despotism, and very different from the other.

Poland

Poland and her neighbours ; one would expect, that they again, as co-sufferers, should exhort the nation to abolish an institution, which deprives the legislative power of all activity, and robs the executive power of its proper and natural functions, such as the command of the army, and the power of treating with foreign states, &c.—When they could no longer disguise to themselves, or the rest of Europe, that the present distracted state of Poland is the effect of their oppressions, the presence of their troops, and their unnatural guaranty of a code, falsely called the real constitution, one would expect them to forbear these oppressions, recall their troops, and publicly and authentically desist from their guaranty : then indeed we might suppose them sincere in their wishes of restoring peace, tranquility, and good order to Poland : then too their claims might be fairly and dispassionately examined.

Upon what foundation the claims of Austria and Russia stand, sir, I profess I know not. Those of Prussia I shall examine hereafter. I have heard the court of Austria has published a deduction of her rights; but not having been able to procure it, I can say nothing to it.

It will not be difficult in Germany to find out some learned antiquarian, who, covered with the dust of books and records, long since forgotten, can drag from oblivion some ancient title, renounced and cancelled by an hundred subsequent acts; it will not be difficult to find a mercenary gazetteer, who will announce this discovery to the world as a monument precious to every lover of history*.—But what have the rights of

* The Gazetteer of the Lower Rhine actually did so, and proceeded to give some disjointed extracts from this piece: but soon grew ashamed of his work; and discontinued it, gravely declaring, that all Europe was so well convinced of the justice of the Imperial cause, that it was not necessary to continue his extracts.

states

states to do with these? “ If, says the
 “ court of * Warsaw, titles dug out of
 “ the obscurity of ancient times, of those
 “ times of sudden and momentary revo-
 “ lutions, which erected and destroyed,
 “ ceded and restored kingdoms in the
 “ short space of a few years, or even
 “ months :—if these titles be admitted
 “ against uninterrupted possession of many
 “ ages, the security of every state is un-
 “ dermined ; every throne must shake
 “ from its foundation.”

Hitherto, sir, the claims of Austria and Russia are supported by no better title than their reciprocal communication and mutual approbation. All I can do, therefore, is to see how far these claims extend ; and whether any late treaties between the respective courts seem to allow, or suppose them, or any thing equivalent to them.

Annexed † you have the specifications

* See Appendix E.

† Appendix B and C.

of what they at first pretended to, and what has since been taken. You will naturally have recourse to a map; and so gain a better idea of its extent and importance than from any thing I can say. I must own, that I do not thoroughly understand whether the empress-queen lays claim to that particular tract of land, or whether she regards it only as a portion equivalent to such tracts as do of right belong to her.—Her words are—“*Nos illum tractum terræ tanquam* “*portionem juribus nostris respondentem* “*occupari jussimus.*” I suppose the particular titles were not yet made out; in the mean time that general one of convenience and profit was sufficient to justify the seizure. So much the rather, as the empress must be naturally impatient to secure her earthly possessions, having already almost anticipated her rights in heaven. In the mausoleum at Vienna I saw the present empress already laid in cold marble by her husband's side;

I read

I read her epitaph: nothing is wanting but the day of her translation to the heavenly choir. And a lady, whom she honoured with the order of Theresa, whilst I was there, was received in a cabinet hung in fables; and rendered still more awful by crucifixes, and death's heads, together with the picture of the late emperor taken after his death, and that of the empress, such as it is supposed she will be, when death shall have robbed of all its graces, what has been the finest person in Europe.—You see, sir, that even scripture itself is fallible; it is possible at once to serve God and Mammon; to be very heavenly-minded, and rob out neighbours at the same time; for surely the seizures made in Poland are robberies.

The last treaty, sir, in which I find any mention of claims from the states of Hungary and Bohemia on Poland, was made on the 15th of March, 1412*, be-

* See Dumont Corps diplomatique, tome ii. p. 346.

tween Sigismund, emperor of the Romans and king of Hungary, on the one part ; and Ladislaus Jagiello, king of Poland, and his brother Alexander, otherwise called Withawdus, duke of Lithuania, on the other. In this treaty it is said, that certain disputes having arisen between Sigismund and Ladislaus touching the provinces of Russia, Podolia, and Moldavia, it is agreed, that peace and amity shall be maintained between the two princes during their natural lives, and for five years after the death of him, who shall first demise ; that, in the mean time, Ladislaus shall remain in full and peaceable possession of Russia and Podolia ; and that certain plans, or letters of the barons and the respective states, there referred to, but not cited, shall be examined ; and the respective claims amicably settled before the expiration of the aforesaid term.

On the 8th of November, in the same year of 1412, another treaty was made between the two princes, by which the province

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vince of Zipfk, with all its towns, lands, castles, and appurtenances, was put into the hands of Ladislaus, as a security for the payment of a certain sum of money; which sum never having been paid, the the kings of Poland remained in possession of the said province, till the present year, when the empress invented a new way of paying debts. Now, sir, if the rights of Sigismund to the provinces of Russia and Podolia were justly founded, it seems very extraordinary, that he should not rather have ceded these rights, as an indemnification for the sums due to Ladislaus, than have put one of his own undisputed provinces into the hands of Poland: yet no such proposition was made, nor in this second treaty is any notice taken of claims on Poland.

From that time to the year 1589, the emperors, in their quality of heads of the empire, formed different pretensions on Poland; all which were solemnly renounced by a treaty in the year 1589; and, in
confe-

consequence of that renunciation, Maximilian, son of Rodolph II. who had been taken prisoner by the Poles, obtained his liberty.

From this last period to the present times, we meet with several treaties between the emperors, kings of Hungary and Bohemia, on the one part; and the kings of Poland on the other; in no one of which, as far as I remember, is mention made of these claims on Poland; unless it be, of which I am not certain, in one of the temporary treaties made during the war with Sweden, terminated by the peace of Oliva. Should such mention be found there, the house of Austria cannot avail itself of it; for you will see presently, that all claims in consequence of these treaties have been formally renounced. Treaties of mutual defence and succour were signed in the years 1614, 1627. In the year 1647, the duchies of Ratibor and Oppelen were mortgaged by the emperor Ferdinand III. to Ladislaus IV.
king

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king of Poland, for one million one hundred thousand florins. The mortgage of Zipfk was confirmed, I think, by the same emperor, who received a second sum of money upon it; and added this clause to the original obligation, that in case of non-redemption at a stipulated time, the original debt should be doubled every year, or the province remain for ever in possession of Poland.

Another treaty of alliance, offensive and defensive, was signed in the year 1657. In the year 1660, was concluded the the peace of Oliva; where, if ever, the emperor should have produced his claims; since this was a general treaty, meant to re-establish the peace of the North, and settle for ever the claims of all the contracting parties.

In the year 1677 another treaty was concluded between the emperor Leopold, and John Sobieski king of Poland; where, instead of any claim on the republic, we find the following strong clause:—"Præ-
terea

“ terea nullus nostrum ad alterius regna,
 “ principatus, vel dominia aspirare, vel
 “ anhilare deber*.”

In the year 1683, a second treaty of alliance offensive and defensive was entered into by the same princes; one article of which is †:

“ Itidem sua majestas Cæsarea præten-
 “ siones extractatu tempore belli Sue-
 “ cici occasione subsidiorum facto re-
 “ sultantes annihilat: de hisque S. R.
 “ majestatem, & rempublicam totaliter
 “ quietat; diploma ex senatûs consilio
 “ emanatum de electione nullum decla-
 “ rat,”—(by which the Poles had en-
 “ gaged to elect a prince of the house of
 “ Austria:—) “ eidem renuntiat, regnoque
 “ Poloniæ ejusque liberis suffragiis, resti-
 “ tuit: et hypothecam, si quæ est, in-
 “ scriptiones & prætensiones ad salis fo-

* See this treaty in Dupont Corps dipl. tom. vii. p. 332.

† See this treaty, ib. tom. vii. part. ii. p. 62.

“ dinas

“dinas Vielicenses integrè remittit, in
 “perpetuum & annihilat.” These very
 salt mines are a part of the late seizure in
 Poland.—The treaty adds—“Ab utrin-
 “que sublati in perpetuum prætensioni-
 “bus, omnes præsens conjunctio exclu-
 “dat scrupulos, & confidentiæ obices.”
 —In case of the Turks besieging Vienna,
 or Cracow, then the imperial and royal
 armies were to join, in order to raise the
 siege: otherwise, each state to defend its
 own frontiers; that is to say, the em-
 peror, Hungary; and the king, Podolia
 and Kaminiec.—It appears then, that the
 claims of the emperor on Podolia were
 relinquished.

A remarkable clause in this treaty is,
 that neither party shall obtain or accept
 a dispensation from the pope for break-
 ing their oath.—In these days princes are
 not superstitious enough to allow this dis-
 pensing power of the pope: it may be-
 come a question, however, whether so-
 ciety

ciety are gainers, now it seems every prince can be a pope to himself.

Gratitude has rarely been the virtue of princes; most rarely of princes of the house of Austria. If it were, that house would be particularly delicate in fulfilling in the amplest manner, not only the letter, but the spirit of this last treaty. To this treaty they owe their existence; to this treaty was it owing, that while the proud and cowardly Leopold fled with his trembling family to Lintz, Sobieski flew to their assistance, engaged the Turks, forced their camp, drove them to flight, and restored his capital to the successor of the Cæsars; who, recovering his pride with his fortunes, spent two whole days in considering how he should meet his gallant deliverer, without descending from his dignity; and at last, fixed the grateful and hospitable interview in the open fields.

From this deduction, sir, it appears, that the states of Hungary and Bohemia have

have formed no pretensions on Poland since the year 1412; that in none of the treaties made since, on so many different occasions, these pretensions are repeated; that one treaty contains a formal and general renunciation of all pretensions whatever. Poland then has to plead an uninterrupted and undisputed possession of near four hundred years. What better title other states can produce, I profess I know not. If to this you add the letter written by the reigning empress, to the reigning king of Poland, in the month of January, 1771, mentioned in my last, and referred to in the annexed answer*, you will know what to think of the justice of her imperial majesty's claims and pretensions. And as neither you, nor I, sir, are to share in the spoils, it is probable our verdict would be different from that of the intercommunicating and co-approving parties.

In refuting the claims of the empress of Russia, it would not perhaps be neces-

See Appendix, E.

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fary to cite any other act than the declarations made by her present majesty; the rather, as I am told, she founds her claims on the expences incurred in the present war. And this would be perfectly consonant to the general spirit of her proceedings, since her unexpected accession to the throne of Russia.

However, sir, let us go back as far as the first of January, 1667*. A truce was then concluded between Jean Casimir, king of Poland, and the czar Alexis Michaelowitz; the bounds between Russia and Poland fixed; the very portion now occupied by the empress assigned to Poland; the town and citadel of Kiovia promised to be restored to Poland within two years; and a time fixed for changing this truce into a perpetual peace. Three years afterwards a congress was held for this purpose; but difficulties arising, this salutary work was not effected: the ministers contented themselves with confirming the articles of the truce. In the

* See Appendix, D.

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year 1672, it was again renewed and confirmed. In the year 1678, it was again renewed and prolonged. The czar gave up a part of his former acquisitions, and restored to Poland the districts of Seibiz, Nevel, and Wielicz; and engaged besides to pay to the republic one million of Polish florins.

In the year 1686, a treaty of perpetual peace was concluded; in which the same limits are fixed, the restitution only of the town and citadel of Kiovia excepted: commissaries were to be named to fix the limits on that side; and Russia to pay one million five hundred thousand florins to Poland*.

The Poles insisted on a farther compensation for the town and citadel of Kiovia; and the fifth article of the treaty concluded at Narva, in the year 1704, stipulated, that the czar should cede to Poland all that part of Livonia, which

* See extracts from his treaty in Dumont Corps diplom. tome vii. part. ii. p. 125.

he should conquer from Sweden, belonging of right to Poland.—An article never fulfilled.

It is therefore clear, fir, that the empress of Ruffia has no foundation for her claims in ancient treaties. Those I have cited annul and make void any preceding claims, if any fuch there were. She herself understood it fo, when, as I have already observed in my first letter, she fo solemnly guarantied to Poland all its territories:—"Quæ vel jure poffidendæ, vel "aétu poffidentur."

Should her majesty, as it is now pretended, lay any claim of indemnification for the expences incurred in the present war, the answer is plain;—Who desired her to make it? Because she has thrown a kingdom into confusion, must that very kingdom indemnify her? Could this question be answered in the affirmative, which surely it cannot,—she has formally solemnly, and repeatedly renounced this resource as unworthy of her honour, dis-
inter-

interestedness, and magnanimity.—— In the declarations published in her name, and by her order, on the 26th of March, 1767, the Russian ambassador expresses himself in the following strong terms :

“ Envoy would exert itself in vain in
 “ attributing to the empress any private
 “ view contrary to the independence and
 “ interests of the republic. Her majesty
 “ believes herself far above all suspicion ;
 “ and it is only from an excess of at-
 “ tention, and in condescension to the
 “ delicacy of a republican government—
 “ delicacy, which she will always be found
 “ to respect,—that she declares, she forms
 “ no pretensions on the republic ; that, far
 “ from seeking her own aggrandisement
 “ in the troubles which agitate Poland,
 “ her only view is to stop them, at the
 “ very moment they seem ready to burst
 “ forth with redoubled violence. If, not-
 “ withstanding her care, and the invitation
 “ she makes to the Polish nation, to co-
 “ operate with her in establishing a peace

“ at once necessary and advantageous, the
 “ spirit of party and discord should in-
 “ volve Poland in the horrors of a civil
 “ war ; if this civil war should give rise
 “ to a foreign one, by which the pos-
 “ sessions of the republic may be endan-
 “ gered,—the empress guaranties to Po-
 “ land all her possessions ; and will never
 “ consent to a peace with any foreign
 “ power, but upon those terms ; nor will
 “ she ever desist from her purpose of esta-
 “ blishing the government on such a
 “ footing as may secure the great point
 “ she has in view ; —the happiness of
 “ every citizen in a free and independent
 “ state.”——

From this declaration, sir, you see that
 the empress foresaw her designs on Po-
 land would be revolting to the nation ;
 —that a civil war might be the first con-
 sequence ;—and a foreign one the next.
 —She foresaw then every thing which
 has happened : and with all this before
 her eyes, still she declares she has no
 pre-

pretensions on Poland; and, under all these possible circumstances, guaranties to the republic all its possessions. If you, sir, can invent stronger terms of renunciation to every thing since pretended to, you have found out a language hitherto unknown.

A part of what the empress had foreseen came very soon to pass. The nation, when it was too late, began to suspect her designs. Many senators spoke against them in the senate with great warmth. The ambassador from Russia, in defiance of every law of nations, ordered his troops to seize and carry off four of them to Russia; where, if alive, they still are prisoners. On the next day he thought proper to avow the act by a declaration to the diet; he did not attempt to justify it; he simply announced it. But he concludes his declaration, by assuring the diet, in the name, and by order of the empress, that "she has no thing in view but the good of the re-

“ public; and will continue her succour
 “ towards obtaining this end, without
 “ any view to her own interest or emolu-
 “ ment; desiring nothing more than the
 “ safety, happiness, and liberty of the
 “ Polish nation; all whose possessions she
 “ guaranties, as well as its laws and go-
 “ vernment.”

The sieur Pfariski, resident from Po-
 land at Peterburgh, had orders to de-
 mand the liberty and return of the sena-
 tors, seized in so unprecedented a manner.
 The prime minister of Russia, more com-
 plaisant than the ambassador, enters in-
 to a long detail of the reasons, which
 had forced the empress to take so unusual
 a step; and still forced her to refuse the
 demand in favour of the prisoners. The
 clemency, generosity, magnanimity, and
 disinterestedness of the empress are paint-
 ed in the strongest and liveliest colours;
 the whole concludes by a solemn declara-
 tion, that—“ The more formidable are
 “ the difficulties, which oppose the exe-
 “ cution

“ cution of the great plan, undertaken by
 “ the empress and republic, the greater
 “ will be her prudence, firmness, and
 “ circumspection in the application of her
 “ succours ; that, seconded by, and en-
 “ tirely confiding in the hearty concur-
 “ rence of the republic, she hopes soon
 “ to see Poland perfectly free, happy, and
 “ quiet ; this is the object of all her
 “ wishes, this her only recompence, this
 “ the summit of her ambition ; which
 “ is unadulterated by any view of private
 “ interest.”

The other event, foreseen by the empress, happened about a year afterwards. The Porte declared war against her*. Her

* It has been said, that when the Porte declared war against Russia, the empress offered the command of her army to the king of Poland ; and his majesty has been blamed for declining it. But the situation of the king was singular. Russia had at that time exerted acts of violence, and even tyranny against Poland ; by the code mentioned above, she had endeavoured to perpetuate the servility of the Poles : it was professedly to snatch them from this state of ab-
 ject

interest still required a certain degree of dissimulation. She thought it right to

ject dependence upon Russia, that the Porte declared war against her; and though she declared war at the same time against the king of Poland, it was against him personally, and not against the nation: and the act itself proceeded from wrong information: to have joined with Russia at that moment might have been censured as sacrificing the good of his country to his own personal security. Add, that the propositions made by Repnin in the name of the empress were by no means clear, or precise; and that the empress would not plainly desist from her guaranty of the strange code referred to in this Letter.—

The event seems to have proved, that, politically speaking, the proposition ought perhaps to have been accepted; though it is by no means clear: but let the patriot determine what he would have done under the same circumstances. And let me be permitted to observe how inconsistently those men reason, who can, in the same breath, condemn the king of Poland for not having headed the armies of a foreign prince universally regarded by his subjects as their greatest and bitterest enemy; without a certain prospect of freeing them for the weight of a foreign yoke:—and at the same time blame the king of Sweden for employing the national strength, and with the free consent of his people, directing it in such a channel, as appeared most proper to rescue
his

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confirm a-new the same declarations of generosity and disinterestedness. Accordingly, on the 14th of May, 1769, Galitzin, commander in chief of her forces, published a manifesto, artfully drawn up, in terms calculated to widen the breach between the two parties of the nation ; an inconsiderate and hasty proposition, made without authority, by two of the principal Confederates, to cede a part of Poland to the Turk, is repeatedly mentioned as the act of the whole confedera-

his people from the same yoke, held over them by the same ambitious powers.

There is no art unemployed by the Prussian emissaries to throw accumulated blame on the king of Poland. They have given out that he very early made secret proposals to the court of Berlin, offering to sacrifice his connections with Russia, provided the king of Prussia would join him against her : nothing can be falser, and more totally void of foundation. In Poland he holds another language ; and says it is to the aversion which the king of Poland has to all the measures and interests of Berlin, that the Poles owe the weight of their present misfortunes.

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tion. The disinterested pains of her czarian majesty to establish order and good government are displayed in all the pomp of declamation. It is declared, "The
" Russian army is about to fight, not so
" much for the interest and glory of her
" imperial majesty, as for the liberties
" and possessions of Poland; the integrity of which is the perpetual object
" of her majesty's attention."

Read these declarations, sir, with attention, weigh the force of the terms, consider the circumstances under which they were published; and then tell me with what face the empress of Russia can now lay any claim to the possessions of Poland.

In all the public acts of the ministry of Petersburg, every occasion is seized to display, in the most pompous manner, the equity, clemency, disinterestedness, generosity, and magnanimity of the empress. Thus in the paper, given by Pannin to Pfariski, mentioned above, Poland

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in particular, and all Europe in general are appealed to, as witnesses of her majesty's moderation and clemency in the government of her own people; Panin adds,—“ If, therefore, in the govern-
 “ ment of her own states, for which her
 “ majesty is accountable to God alone, she
 “ has never deviated from those princi-
 “ ples of equity and moderation, how is
 “ it possible to suppose she should allow
 “ herself to dispense with them, in her
 “ intercourse with a free and independent
 “ nation, in whose affairs she can inter-
 “ pose only as a friend and ally? Here
 “ she has for witnesses of her conduct,
 “ not only the people whom she succours,
 “ but all the nations of the earth, whose
 “ eyes are fixed upon her: here she can-
 “ not avail herself of personal authority,
 “ without forfeiting that confidence her
 “ virtues alone can inspire.”

Had I, sir, the ear of the Russian mi-
 nistry, I should advise them to be more
 sparing of this kind of declamation for
 the

the future. An impartial public may be apt to draw conclusions not quite so favourable to her imperial majesty: when, notwithstanding this parade of virtue, and public faith, they see her, without hesitation, and without scruple, break through every law of nations and of natural equity; they may begin to think that patriotism she so often affects, and which alone had stopped the hand of censure, lifted high at her manner of mounting the throne of Russia, to be as ideal and chimerical as her pretensions to public faith. Nor will directions, however well compiled, for drawing up a code not yet perfected, be sufficient to rescue her from that censure.

I am apt to think too, her political knowledge will soon, very soon, be held in as questionable a light as her humanity, generosity, and disinterestedness. The king of Prussia reigns with the same despotism at Petersburg as at Berlin. Hence all her efforts to make peace with
the

the Porte are vain : hence her friendship with your court is every day weakened ; hence she is on the eve of war with Sweden, and perhaps with Denmark : when she stands thus friendless, and alone, against a host of foes, the king of Prussia may perhaps follow the example of the great elector ; change his alliances as his interests change ; connect himself with her enemies ; and make himself master of Samogitia, Courland, Semigalia, and Livonia. The empress may then find, when it is too late, how fatal her mistake has been, in giving into the very measure she made the chief pretext of dethroning her husband—that of joining with the natural enemy of her country.

In the mean time, sir, it is ridiculous to see by what little arts he has worked himself into her confidence : her picture is hung up in his audience-chamber ; he looks up to it, encircled by his officers, with that sort of awe, with which a zealous Catholic regards his pa-

tron-faint; he talks of her as of a being superior to mortality.—And lately, sir, a letter, written to his sister of Sweden, has affectedly been made public; in which he declares his attachment to the empress of Russia to be so strong, that he is ready to sacrifice to it the ties of friendship, and of blood.—These are the very artifices by which many a prudent wife governs, whilst she seems to obey a lordly husband.

The manner in which the three courts announce their claims, is perfectly of a piece with the rest of this state-performance. They allow the consequences of their having interfered in the affairs of Poland to have been, that “laws, “and order, and public safety, and justice, and police, and commerce, are “all gone to ruin; and therefore not being able to promise themselves in future periods the same happy concurrence,”—of honest inclinations on their part, and confusion and debility on the part.

part of the Poles,—“they are deter-
 “mined now to assert their ancient
 “rights and claims, which they shall be
 “ready to justify in time and place by
 “solid reasons :”—that is, if on so grave
 a subject, we may be allowed to pun with
 your Milton,

—— “Reasons of weight,
 “Of hard contents, and full of force
 “urged home.”

And, in the mean time, that no doubt
 may remain of the lawfulness and justice
 of these claims,—“they have reciprocally
 “communicated them,” and—what is
 truly wonderful, and almost incredible,
 “—are mutually convinced of the justice
 “of them.” After so fair a disquisition
 of their rights, nothing so natural, as to
 “take immediate and effectual possession
 “of proper indemnifications.”—The
 whole would have been complete, could
 they immediately have fixed each its
 quota :—but there, it seems, either their
 antiquarians were at a loss ;—or their ad-

vocates were undetermined ;— or they had not examined, with sufficient attention, the effect their proceedings might have on the rest of Europe :—they chose to leave it to the chapter of chances :—the quotas are to be given hereafter.— Tell me, sir, is this the language of three great princes ; or is it the style of a Rolland, and a Cartouche, of the lawless chiefs of lawless banditti ?

States, it is true, have no earthly judge to appeal to ; where justice therefore is demanded and refused, they must do justice to themselves. But it was reserved to these equitable powers to do justice to themselves in this summary way, without having demanded it. The laws of all civilized nations ordain, that, previous to any act of violence, a demand of justice shall be made, and that demand refused. Natural equity dictated this clause of the law of nations. Supposing therefore their claims just ; still the manner of asserting them is unjust, odious, contrary

contrary to the rights of nature and nations, and founded on a principle destructive of all society.

The second principle, they suppose, is equally indefensible:—that there is no prescription between sovereigns; and that possession, however long, gives no title of right*.—Some of the greatest writers have said, that prescription is the patron of mankind; and surely with good reason. In private life its right is allowed, and universally acknowledged: in public concerns it cannot be of less importance, unless the safety of states be less important than that of individuals; unless the lives and properties of millions be of less concern than the fortunes of a few. But these new interpreters of the laws of nations assert, that instead of being a bar to future claims, prescription is a just

* “Were the daemon of discord to arise (said one of the greatest men in Europe, speaking of this very act) “he could not have broached a doctrine “more fatal to the peace of mankind.”

pretence for extending them: they claim not only what they say did once belong to them of right, but ten times as much, as an indemnification for non-enjoyment during so many centuries. They had, Heaven knows when, a right to a village, and they take a province; to a town, and they seize a kingdom.

Another principle, established by these righteous powers is, that recent, solemn, and explicit treaties cannot annul obscure, ancient, and disputable claims. A principle, which, if admitted, would at once destroy all commerce between man and man, between nation and nation; and which gives an air of ridicule, as well as tyranny to their present demands of the ratification of their pretended rights.

You have read, sir, the declarations of Russia during the present troubles in Poland; the Anti-Machiavel, attributed to the king of Prussia; the rescript addressed to the king of Great Britain, and the memorials distributed by the empress-queen through

through all the courts of Europe, when the king of Prussia first developed his future plan of conduct by the seizure of Silesia. Would you think it possible, sir, that these had been written by the same hand as wrote the present Manifesto?

The court of Warsaw has not been able to refute the claims of the three courts, because the foundations of those claims are not yet made known.

A * counter-declaration has been published, in which all is said that can be said, till the usurpers explain themselves more fully. But unless other nations espouse the cause, whatever may be said, or proved, by the court of Warsaw, will avail but little. The three usurping potentates are, (to use the words of one of them) “des grands Dialecticiens: ce sont “des Hercules, qui persuadent a coup de “massue.”

Though the usurping powers are thus evidently convicted of the most flagrant

* See Appendix, E.

breach of public faith, you would at least expect them to be particularly careful in observing that general law of all civilized nations, to lighten as much as possible to individuals the burthen of public calamities.—No, sir, they seem determined not to redeem the good opinion of mankind by any one act of justice, or equity. Do not take my word for this harsh assertion; judge from facts. In every town, place, or country taken in open and honourable war, a certain time is allowed the inhabitants and landholders to dispose of their lands and estates, and retire where they see fit, unless, of their own free motion, they submit themselves to the new master. But these just and equitable powers have not left this resource to the proprietors of lands and estates in the usurped provinces. In those usurped by Austria, they are commanded to come and live upon their lands; and demean themselves as dutiful subjects, till the day fixed for taking the oath of allegiance, which all are then to take

take under pain of confiscation. The empress of Russia, ever affecting an equity and moderation to which her heart is a stranger, allows the term of three months:—she knew no possible advantage could accrue from this affected condescension: many of the landholders are in foreign parts; and could not, if they would, return within the time prescribed: no purchaser could be found in so short a space; under such unsettled circumstances, and till their claims have been finally settled with the court of Warsaw, the right of sovereignty is uncertain; common justice required therefore, that no act of allegiance should be demanded till then: and from that time, not from the moment of the seizure, a term, not of three months, but of two years, ought to have been allowed the possessors to dispose of their effects. On the contrary, the empress of Russia has already confiscated more than twenty thousand pounds sterling a-year, belonging to the family of the Czarto-

ryskis alone. And what rendered this act of injustice still more remarkable, is, that the two princes, who possessed these lands, are uncles to the king, of an advanced age, enjoying the first posts in the state, and were not apprized of the empress's order for a personal appearance, time enough to have transported themselves to the place fixed upon for taking the oath, even had they been disposed to it. The empress-queen has already confiscated all the estates of the count Kicki for the same reason.

Let me cite you another fact, sir, in support of my assertion. There are in Poland many fiefs, known under the name of Starosties, Advocacies, &c. They are in the gift of the crown: the king can neither retain, nor sell them. They were considered and intended as indemnifications for expences incurred, or services rendered to the state. Some provision of this sort was the more necessary in Poland, as the officers of the state

and the household have no salaries, nor fees. The Starosts, &c. were tenants for life; or they might, with the previous consent of the king, dispose of them for a valuable consideration to another, who then became tenant for life in the place of the original nominee. Many of the actual possessors had thus bought in at eight, ten, or even twelve years purchase. Did not equity and humanity demand, sir, that either they should be left in the undisturbed possession of estates thus acquired, during their natural lives, or some compensation be made them? No, sir, these humane and equitable princes have thought it right and just, to seize upon these lands, and re-unite them to their respective crowns, as part of their ancient demesnes*.

* Since the first publication of this letter, it is said, that the empress-queen has published a more favourable edict on this head. But at the same time, not to have any merit of supererogation, has confiscated the lands, &c. of count Branicki, pro-

I shall not, at present, sir, enter into the particulars of the king of Prussia's conduct. I destine my next letter entirely to him. His seizures are of immediate and great importance to every maritime and commercial state. In the mean time, I must only hint to you, that the empresses have taken him for their model: not content with seizing what they at first laid claim to, they are appropriating other very considerable tracts. We should be apt to regard this, sir, as a verification of the old proverb; "*Que l'appetit vient en mangeant.*"—Her antiquarians and historians will, on the contrary, be surprised at the chain of evidence, which has led them to discover such extensive and well-founded claims.

That the king of Prussia should adopt the system of robbers and free-booters

secretly and avowedly for no other reason than having, in consequence of an order from the king and senate, acted as minister at the court of Versailles; where he was sent in order to endeavour to engage the assistance and good offices of France.

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cannot surprise us; his circumstances and theirs are precisely the same; he has no other way of acquiring consequence; he has openly and steadily pursued it, from the moment the crown devolved to him to this hour; but that two such powers as Austria and Russia should stoop to be his tools in such a work is indeed amazing. The beginning of the emperor's reign seemed to promise a great and equitable prince; his present conduct must therefore render him ten-fold more odious. The vice of hypocrisy, equally hurtful to the honour, and interest of a sovereign, will for ever destroy the confidence of his allies, his neighbours, the members of the empire, and even of his own subjects.

The Manifesto of the three courts speaks of the measures adopted, as equally necessary, not only to prevent the dissolution of Poland, but also to preserve the mutual harmony and friendship between them; and this last object is asserted to
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be of the highest importance to all Europe; and in good truth so it is, though in a different sense from theirs: what was said of the triumvirs at Rome, is strictly applicable to them: — not their dissension, but their union is fatal to Europe. The secret treaty made about four years since, between the courts Peterburgh and Berlin, by which the then form of government in Sweden was guaranteed and declared immutable; pretensions talked of on other states of Germany; a demand, never relinquished, of near a million sterling which Prussia forms on England, and which he may, ere long, be bold enough to pay himself from the electoral dominions: — these, and many more circumstances concur as proofs, that the design of these powers is to submit all the rest of Germany to their yoke; all tend to represent the present unnatural alliances as a league of the northern against the southern powers of Europe.

If

PRESENT STATE OF POLAND. 189

If they be permitted not only to keep possession of what they claim, but to extend, as they are extending their usurpations in Poland; and to tie up the hands of the republic so as to prevent her ever emerging from her present state of weakness and disorder—what can be expected, but that occasion will soon be created, and eagerly embraced, to seize upon the rest; and that the final loss of Poland will be the signal for the ruin of the whole Germanic body? What security have Denmark and Sweden, the states of Germany and Holland, the cantons of Switzerland, and princes of Italy, that this alliance will not be as fatal to them as to Poland?

The cause of Poland is now become the cause of all Europe; and especially of the states of the second order; they ought to feel, that nothing but an immediate and firm league can secure them against the tyranny and ambition of three such powers, who are evidently preparing yokes for them all. The commercial
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and maritime states are almost equally interested in the fate of Poland; and in the probable consequences of this strange alliance. In a word, we may apply to all the southern powers of Europe the words of the Manifesto: it is high time they "should lay aside the spirit of discord and delusion," and ere it be too late, unite in stopping a torrent, which threatens to overwhelm them all.

I am, &c.

LETTERS
CONCERNING THE
PRESENT STATE
OF
POLAND.

LETTER IV.

L E T T E R S
CONCERNING THE
P R E S E N T S T A T E
O F
P O L A N D.

Brussels, Feb. 27, 1773.

MY DEAR SIR!

BEFORE I enter on the examination of his Prussian majesty's claims, let me recommend to your perusal a declaration given by his minister at Warsaw, on the second of February*.

You see, sir, how prettily these powers throw the ball from one to another :

* See Appendix B.

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having

having determined on the partition of Poland, the empress of Russia, who had hitherto borne the whole odium alone, stepped forth once more to signify this new act of friendship and good-will: in a hurry to consummate the great work, and finding no opposition on the part of other courts, these mighty powers grew angry, because the Poles did not cheerfully and thankfully stretch forth their hands to receive the chains they were preparing for them; a second declaration, less civil, less decent than the first, was published; and here the empress queen took the lead: but when the finishing stroke is to be given, greater talents are required, a master-hand is necessary; and here the king of Prussia knows his place, and leads the van.

His majesty declares, sir,—“He has waited *patiently* to see the effect of his “first declaration.”—Do not misunderstand him, he talks of Prussian patience; it is an active virtue with him. His
 patience

patience is manifested by pillages, violences, and outrages of every kind. The provinces of Posnania, Halise, and Gnesne, can answer for his patience : — in the month of September last, the very time of the first declaration's being made, these provinces were obliged to enter into a contract, by which they bound themselves to furnish gratis exorbitant provisions of corn, cattle, and forage for the subsistence of the Prussian troops ; and to pay besides unlimited sums of money, to satisfy other unlimited wants, which the troops were ready enough at creating ; douceurs were to be added to the officers, from the general to the lowest serjeant. This contract was rigorously executed : a dawn of hope however appeared ; the contract expired with the last year. But the king of Prussia's patience is indefatigable ; Lössow has forced the provinces to renew the same contract for five months longer.

The town of Dantzic too, will bear witness to his patience: he has established an excise office at the very gates; nobody can go out of the town without being searched in a rude and indecent manner; even the fair sex has no privilege against the brutal insolence of his excise officers:—and to comfort them, Mr. Reichard assures them, that these are only little acts of gentility, preludes to greater and better things.—The seizure of a great part of the territories of the town, of its suburbs, harbour, and port-duties, are all marks of patience: nay, sir, take a walk on the London Exchange, and I fancy, even the British merchants will tell you, they have had notable proofs of his patience. The seizure of all the territories of the town of Thorn, the town itself all but besieged, and repeatedly summoned to do homage to him, in direct contradiction to his first declaration, are farther proofs of the patience, with which
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he waits for the effect of that declaration.

His majesty's delicate sensibility is shocked, sir, that the king of Poland should "publish a protest tending to invalidate the rights of the king of Prussia, and declaring the occupation of his own territories unjust and violent:" and what hurts him still more, this protest was an act of the king of Poland's *private authority*, the effect of a *sudden impulse*.

Now, sir, the declaration was given the eighteenth of September, and the protest in answer to it, the seventeenth of October following; the impulse was not then so sudden.—You have read the protest: it is there declared, his majesty makes it by the advice of his senate; that is, of that very body, to whom the constitution sends him in all cases of emergency. It was not then, as the king of Prussia asserts, an act of private authority; but the act of a public body, ac-

knowledge and authorised by the constitution : — nor was this council, as the king of Prussia asserts, disunited ; it was unanimous in advising the publication of this very protest, and the convocation of another fuller council. It did not therefore separate, as the king of Prussia asserts, without coming to any resolution, since these were two important resolutions.

In four short lines the king of Prussia falls into four palpable mistakes. His majesty's obstinate penchant to mistaking is full as inconceivable as that of the Poles, who mistake the king of Prussia for their enemy. It is true, the council was not numerous : but would his Prussian majesty insinuate that to have been the fault of the king of Poland ? Does he not know, that he, and his equitable allies, are the cause of it ? Should the council now summoned, should even the diet be as little numerous, are not they to be thanked for it ? Is it surprising, that many senators should

should have excused themselves from going there? Has not his Prussian majesty laid waste the countries from whence the town of Warsaw is supplied with provisions? Has he not forbid the people to send provisions there? Does he think men are very fond of exposing themselves to all the horrors of a famine? or is starving the town, the king, the senate, and the diet, another proof of Prussian patience?

If he and his allies intended the council or diet should be more numerous, why hinder the senators, whose titles derive from the usurped provinces, from assisting at it? They are senators of the kingdom at large, not of any particular part of it: yet so far is this prohibition carried, that the Austrian minister has lately forbid the prince Czartoryski, uncle to the king, palatin of Russia, to assist at it; though Chelm, a part of this palatinate, is not comprehended in the Austrian usurpations; and the Russian minister has signified the same prohibition to the bishop

of Livonia, though he is at the same time bishop of Piltin, and though a great part of his diocese is exempted from the Russian usurpation.

“This second council, says the faithful monarch, was deferred on the most frivolous pretences.” These frivolous pretences were no other than the physical impossibility of assembling all the senators sooner.—The prisoners whom the empress of Russia has, they say, released from their unjust confinement, cannot arrive probably even at this period.—The measure of his Prussian majesty’s grief is filled up by the *ingratitude* of the nation, which shows no *zeal* nor *affection* for his Prussian majesty’s measures; and will not consider itself as legally represented by a diet sitting in a town that is to be starved, and blockaded; deliberating in a house against which the enemy’s cannon is to be pointed.

His Prussian majesty’s sensibility and grief being exhausted, by the above surprising

prising acts of ingratitude, he falls into astonishment and indignation when he sees "that the Polish government has formed a regular plan of exposing the legality of his rights to all the vicissitudes of events." This may appear, sir, a very odd idea to you : you may not readily conceive how the legality of rights can depend upon future events. A right which is legal to-day, will be a legal right to-morrow, happen what will in the mean time : so it is with us, sir, but not so at Berlin. The conduct of the king of Prussia, from the moment of his accession to the throne, has clearly proved, though this is perhaps the first time he has told the world so in plain words, that all is right in his eyes, which is useful to his interests ; consequently the degrees of legality are nothing more than the degrees of possibility of carrying his designs into execution : now in this sense the legality of his rights may be affected by the vicissi-

vicissitude of events, though, in no other sense could it possibly be so.

In the same spirit, and by the same kind of logic, his Prussian majesty says, that because the matters to come under the deliberation of the council are of the utmost importance, therefore its meeting should be hastened, and its decision precipitated.

In general men would have drawn a contrary conclusion; because, in general, the more important an affair is, the more circumspect men are in deciding upon it, the more time they take to consider it. In the case before us, however, this wise monarch is perfectly in the right: deliberation here could only serve to prove the injustice of his demands, and devise means for frustrating the execution of his designs.

The integrity of his Prussian majesty is next alarmed; the Poles are accused of forming cabals, and intrigues. I know of

of no action, no measure, that can deserve the title of cabal, or intrigue, which is intended to preserve the rights, liberties, and existence of an oppressed people. I should have called those secret practices "*cabals and intrigues*" by which this upright prince brought the Poles into the wretched state they now are in. He, whilst he pressed the convocation of a diet, caballed, intrigued, and threatened, in order to form and support an illegal assembly under Sulkowski; his agent, Reichard, is now caballing, intriguing, threatening, in order to seduce the towns of Dantzic and Thorn from their allegiance: these are cabals and intrigues: but I again repeat it, no steps, no measures whatever, calculated to frustrate the designs of usurpers, to secure a nation's rights, liberties, and possessions, can be called by this opprobrious name.

The king of Prussia, sir, having led us from sensibility to grief, from grief to astonishment, from astonishment to indig-

indignation, leaves us at last impressed with proper ideas of his humanity and justice. He, *good man*, will not be responsible for the ulterior evils Poland may yet suffer; and therefore makes one more effort to conquer the inconceivable obstinacy of the Poles:—that is, he will once more endeavour to save himself the trouble of putting an end to their existence as a state, by forcing them to do the work themselves; which they are so inconceivably obstinate as to refuse: but should they not listen to this humane counsel, then he must do himself *justice*.

It is a pity, sir, that so near the mention of justice should come the threat of disengaging himself from the renunciations contained in his first declaration; because it leads one naturally to ask, whether he has kept literally to the terms of that declaration; and when we recollect that his vexations and pillages have been extended all over Great Poland; that he is taking measures to seize upon Cujavia; that

that his troops are within a few miles of Warsaw; that he has seized the territories and revenues of Thorn and Dantzic; that he has endeavoured to ruin the trade of the latter, by insulting the first maritime power of the world, stopping its ships, and forcing them to pay new and exorbitant duties; when we learn, that his religious and apostolic ally has seized the city of Cracow, and added it to her new erected kingdom of Galicia and Lodomeria; that she has likewise seized the royal demesnes on the Polish side of the Vistula; that the revenues thereof, belonging either to the king or republic, are appropriated to the imperial treasury, and every act of sovereignty exercised in these districts by the imperial magistrates; and this at the time that the court of Warsaw has so far condescended to the desires of the three powers as to fix a day for the meeting of the diet;—the very day demanded by them; when we learn, that at the same time the king of Prussia has
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dispatched a Jew under the title of his director of commerce to Warsaw itself, and charged him with the distribution of fifteen barrels of base and adulterated coin; we too find it difficult to express our astonishment and indignation.

Let us now, sir, if you please, turn from this piece to the letters patent of this worthy prince, in which he fixes the portion, which belongs to him, and alleges in general terms the foundation of his claims*.

The deduction given here is only an abridgement of, or rather reference to an ample declaration or deduction, which, he says, was then, that is five months ago, in the press. This must surely be very full, since it is so long in printing. In the mean time, his Prussian majesty exacts more than papistical faith of us: if a man in the Romish church will but learn Latin, he may know what, and why he is to believe: but here we are forced

* See Appendix, I.

to believe the validity of rights founded on arguments not produced, and on records not known. I wish the court of Berlin would be kind enough to tell us, for whose use and information this deduction is afterwards to be published:—for the Poles? Surely it was high time they had it; a diet, that is to sit but seven weeks, will hardly have time even to read what it has taken five months to print.—Is it for the other states of Europe? They ought to have had it still earlier; they cannot be competent judges without hearing the arguments on the other side*.

But he knows what he is about, sir; he knows, his usurpations must at last stand or fall by the *ultima ratio regum*.

His majesty begins, by assuring his new subjects of his royal favour and good-

* Some detached pieces of this deduction have appeared, within these few days in the foreign papers. From this specimen the editor can venture to assure, that there is not a single argument in it, which is unanswered in the following sheets.

will; and indeed it is high time: our purses drained, our granaries emptied, our houses burnt, our lands desolated, our young men impressed, our wives dishonoured, and our daughters carried off, gave us but a bad idea of our new master: but we are now to be easy; we are assured of his royal good-will, of protection in our rights and possessions, and of being governed so well, that we shall all rejoice at the change. He must not then govern us as he does his other subjects: I cannot give you a better idea of the government of Prussia, than by describing the city of Berlin: look at the shell of the houses, all is shew and elegance; go in, and all is wretchedness and misery: the streets are large and airy, and well laid out, but so thinly peopled, that you would think the plague had stalked along the town and swept away two-thirds of its inhabitants: it is so with his government. Read the code of Frederic, and all appears order and regularity; go into the courts of justice, examine the people, and
you

you will hear of nothing but exactions, vexations, and oppressions. And such, sir, is to be our fate. Among the first rights of a people are its laws; and the laws of Polish Prussia were far from contemptible; our civil and political liberties were better secured than in any other part of Poland: by way of preserving our rights, one of the first acts of our new most gracious master was to abolish all our laws; we are at once submitted to a code we know nothing of;—our houses are numbered, our artisans and our children subject to be impressed: among the persons, to whom these letters are addressed, and who are to be maintained in their possessions, the starosts are expressly named:—as a proof of our sovereign's veracity, the next act of government, was to re-unite the starosties to the crown: the mildness of his future government is displayed in the rest of the letters patents: they were dated the thirteenth of September, and the twenty-seventh of the

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same

same month was appointed for taking the oath of allegiance; that it seems was thought time enough to quiet all our scruples about the validity of the oath taken to our natural sovereign; the mere ipse dixit of our new master was to convince us, that a possession of five hundred years was illegal:—and should we not believe him, should any foolish scruples yet remain, should we hesitate, all is lost; no overt-act is required, should we even render ourselves suspected of infidelity and disobedience,—(and whom does not tyranny suspect?)—we are to be proceeded against with the utmost rigour.—Heaven keep us from being objects of such royal patience and good will!

In examining this abridged deduction of rights we must distinguish carefully between the portions demanded, as being part of the king of Prussia's ancient patrimony; and the portions demanded as indemnifications for non-enjoyment of the other during so many centuries: if the

rights to the former are groundless, there is nothing to be said for the latter.

On the side of Polish Prussia the portion demanded, as a part of his ancient patrimony, is the Little Pomerania, otherwise called Pomerellia: "This Pomerellia, say the letters patent, was, at the extinction of the dukes of Dantzic, unjustly wrested, first by the knights of the Teutonic order, and then by the kings of Poland, from the dukes of Stettin, to whom it ought to have gone as nearest agnats and heirs, springing from the same stock; nor did the dukes of Pomerania ever renounce their rights to this their ancient patrimony, but transmitted them entire to their successors and universal heirs, the electors of Brandenburg."—In this state of his Prussian majesty's rights, three suppositions are made, and taken for granted; and should any one of the three prove to be false, the whole foundation of the pretended rights is taken away and falls to the ground.

In the first place it is supposed and taken for granted, that Pomerellia did always, and ab origine, make a part of the ancient patrimony of the dukes of Pomerania: for if it did not, if it was acquired afterwards, then not being holden by the same tenure, it was not subject to the same restrictions, might again be separated from the duchy, and be disposed of as the possessor saw fit.

In the next place, it is supposed and taken for granted, that the dukes of Dantzig held their duchy, as a fief in tail, with right of remainder over to the dukes of Stettin; for if it was allodial, or holden in fee simple, then the dukes of Dantzig might appoint their own heirs, without prejudice to the dukes of Stettin: or if there were no remainder-men, then, at the extinction of the house of Dantzig, it reverted to the lord paramount.

Lastly, it is supposed and taken for granted, that the electors of Brandenburg did

did succeed to the dukes of Stettin in quality of natural heirs in tail, or remainder-men named in the original grant; or by virtue of some grant or donation from the lord paramount; or of some compact made with the lords feudal, and confirmed by the lords paramount, at the time that Pomerellia did actually make a part of the duchy of Pomerania: for otherwise, whatever claim they may have to the other parts of the succession of the dukes of Pomerania, they can have none to Pomerellia.

Now of these three suppositions, all of them necessary to establish the rights of the king of Prussia, the first only is doubtful; the two last are demonstrably false.

In the first place, it is doubtful whether Pomerellia did anciently, and ab origine, belong to the duchy of Pomerania. Nicolas Leuthinger, as respectable authority as any in this matter, asserts positively, and in direct terms, that it did not; but that it belonged to the king of

Poland, Lescus; whom having treacherously murdered, Sventopol, made himself master of Pomerellia*.

Pomerellia therefore, according to this author, being afterwards added to Pomerania, made no part of the original heritage, and might be separated from it.

In the next place it is demonstrably false, that the duchy of Pomerania was holden as a fee entail, with right of remainder over to the dukes of Stettin.

Short as the deduction before us is, it was not for brevity's sake alone, that the king of Prussia omitted circumstances, which would have thrown light upon this part of the subject. Permit me to supply them.

The last duke of Dantzic was named Mestvin II. alias Mestogin, alias Mescingus, alias Mestojus. This duke of many names, lord of Pomerellia, did, four years before his death, appoint Premislaus duke, afterwards king of Poland,

* See *Topographia prior Marchiæ*, p. 4.

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his nephew, son of his sister, to be his heir and successor: he communicated this design to his subjects, who agreed to it, and in the duke's life-time swore to the observance of it: this disposition was farther confirmed by his will*. At the death of his uncle, which happened in 1295, Premislaus entered on the succession: but in the year 1308, Waldemar, margrave of Brandenburgh, drove him out; upon what pretence is unknown; the rights of the house of Brandenburgh are seldom clear: he did not long keep possession; but in his turn was attacked by the knights of the Teutonic order; and finding himself unable to resist them, he sold his rights upon Pomerellia to the said order for ten thousand marks†. To give a greater degree of legality and authenticity to this purchase, the knights had obtained a decree from the emperor,

* See Cromer de Rebus Poloniæ, l. x. p. 176.

† See the Act of Sale, Dumont, Corps diplomatique, vol. I. p. 364.

confirming all the acquisitions they had made, or should make in Pomerania, whether by purchase or otherwise *. The kings of Poland thought themselves injured by this sale, and applied to the pope, John XXII. who, by a solemn decision, declared the right to this duchy to be in the king of Poland: the thunder of the Vatican however was disregarded, the knights kept possession; and in the year 1335, the matter was referred to the arbitration of Charles and John, kings of Hungary and Bohemia, who decided, that upon the knights giving up the districts of Cujavia, Dobrzyn, and others, which they had usurped, the king of Poland should, for the good of his soul, consent to *cede*, not restore, but *cede* to them the duchy of Little Pomerania †: but they not restoring their

* See Supplement au Corps diplomatique, vol. II. partie ii. p. 80.

† See Act of Arbitration, Dumont, Corps diplomatique, vol. I. partie ii. p. 151.

other

other usurpations, the kings of Poland appealed again to the pope, then Benedict XII. who again solemnly decided in favour of the king of Poland *: this second decision had as little effect as the former; the knights still kept possession till the year 1454, when the subjects, no longer able to submit to their tyranny, chose a new master, or rather returned to their ancient sovereign the king of Poland: which act of theirs was, as you will see hereafter, confirmed and allowed by the knights in the year 1466.

Hence then it is clear, that the dukes of Dantzic did not hold their duchy as a fee in tail, with right of remainder over to the dukes of Stettin: if they had, the emperor, who was lord paramount, would not probably have consented to its alienation, could not have done it, but at the requisition, and with the free consent of the heirs in tail: neither would the pope,

* See Dumont, *Corps diplomatique*, vol. I. partie ii. p. 175.

and

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and

and much less the kings of Hungary and Bohemia, (who, as feudatories of the empire, were interested to maintain that maxim of the feudal law, "*Alienatio-nem feudi paterni non valere etiam do-mini voluntate, nisi agnatis consentien-tibus*") have pronounced that alienation legal.

The observation therefore of the letters patent, that the dukes of Pomerania did never make any renunciation to their rights upon Pomerellia, is futile, and vain. Why should they renounce rights, which it plainly appears they never had? It should have been proved, that they had protested against the will of Mestvin, against the emperor's confirmation of the acquisitions made in Pomerania by the knights of the Teutonic order; against the sentence of arbitration pronounced by the kings of Hungary and Bohemia; against the decree of the popes John XXII. and Benedict XII. in favour of the kings of Poland. Can it be supposed, that

that the rightful heirs would have suffered two pretenders to their estates, to have pleaded their cause so long, and before so many different tribunals, without putting in their claim? There silence is not indeed a renunciation of real rights; but it is something much stronger: it is an absolute denial of the existence of those rights.

But the observation that the rights of the house of Brandenburg to this country, remain in their full force and integrity, if it be serious is not perhaps perfectly modest:—if that house had any rights, it sold them, as you have seen, to the knights of the Teutonic order: and surely it is not modest in the house of Brandenburg, to sell in one century a pretended right to an estate for a valuable consideration, and in another century to set up another claim to the same estate, directly contradictory to, and destructive of the first.

Lastly, it is demonstrably false, that the electors of Brandenburg did succeed
to

to the dukes of Pomerania, either in quality of natural heirs in tail, or remaindermen, named in the original grant : or by virtue of any grant or donation from the lord paramount, or of any compact made with the lords feudal, at the time that Pomerellia did actually make a part of the duchy of Pomerania.

The rights of the electors of Brandenburg to the Citerior Pomerania, are not founded on any agnation, or consanguinity whatever ; they did not therefore succeed in quality of natural heirs in tail : nor did they succeed in quality of remaindermen named in the original grant : for the proof of this, I can cite you what, in this case, must be considered as the most unexceptionable authority, that of the king of Prussia himself.

In his Memoirs of the House of Brandenburg you meet with the following words * :

* See edition of 1767, vol. I. p. 14.

“ In

“ In the year 1464, Othon III. last
 “ duke of Stettin, died : and the elector
 “ Frederick II. entered into a war with
 “ the duke of Wolgast : the reason was
 “ this, Lewis of Bavaria, elector of Bran-
 “ denburgh, had made a treaty in the
 “ year 1338, with the dukes of Pomera-
 “ nia, which stipulated, that if their
 “ line came to be extinguished, Pomera-
 “ nia should fall to the electorate ; this
 “ treaty had been confirmed by the em-
 “ peror : the dispute however was termi-
 “ nated by an agreement in the year 1464,
 “ according to which the duke of Wol-
 “ gast remained in possession of the duchy
 “ of Stettin, but became feudatory to the
 “ elector, to whom Pomerania did even-
 “ tual homage.”

This account proves, sir, yet again,
 that the dukes of Dantzic did not hold
 their duchy as a fief in tail, with right of
 remainder over to the dukes of Stettin :
 and that the consequent right, which it
 is pretended the dukes of Stettin had to
 the

the succession of the dukes of Dantzic, is a mere invention of the king of Prussia. For had that right existed, neither could the electors of the house of Bavaria have made the compact of confraternity, in the year 1338, with the dukes of Stettin, nor could the emperor have confirmed it: nor would so just and disinterested a prince, as the elector Frederick II. have asserted it by force of arms, in prejudice to the dukes of Wolgast, who, supposing the duchy of Pomerania to have been a fief in tail, would have stood precisely in the same predicament of agnats and heirs in tail, to the dukes of Stettin, as the dukes of Stettin did to the dukes of Dantzic: or, to speak more properly, would have been in the same degree descendants of the original vassal, as were the dukes of Stettin, and by consequence must have been the remainder-men of the dukes of Stettin, and as well as they eventual nominees in the original grant. It follows, that by the same right as the dukes

dukes of Stettin could put their whole heritage, not only extra agnationem, but extra cognationem, and convey it away to the electors of Brandenburg, of the house of Bavaria, who were mere strangers to them, and stood in no degree of agnation, or consanguinity whatever, in preference to their nearest agnats the dukes of Wolgast, Mestvin, duke of Dantzic, could convey a part of his inheritance to his nephew, son of his sister, in preference to a more distant relation of the male line.

In the next place, sir, it is equally clear from this account, not only that the original rights of the house of Brandenburg to the duchy of Citerior Pomerania are not founded on any agnation, consanguinity, title of heirs in tail, or remainder-men, but merely on a compact of confraternity : but it is farther proved, that the compact, under which they claim, was not made at the time that Pomerellia formed a part of the duchy of Pomerania.

It

It follows therefore, that the electors of Brandenburg, as successors, and universal heirs to the dukes of Pomerania, have no right to Pomerellia : because supposing, what I doubt, that they could claim any thing more than what belonged to the succession when it became open ; yet most certainly they could not claim any thing which had been separated from the estate before the compact was made, under which alone they claim. Now, fir, Pomerellia had been detached from the duchy of Pomerania forty-three years before the first compact was made : one hundred and twenty-two years before the house of Hohenzollern arrived at the electoral dignity ; one hundred and sixty-nine years before any claim was laid to the succession, and before the second compact was made, under which the house of Brandenburg claimed at the treaty of Westphalia ; three hundred and forty-two years before the succession became open ; four hundred
and

and seventy-seven years before the publication of the letters patent *. And therefore in the long discussions concerning the right of succession to the duchy of Pomerania, during the negotiations of Munster and Osnabrug, no mention is made of Pomerellia's belonging to, or making a part of that succession: the claims both of Sweden and Brandenburg being founded on compacts made long after Pomerellia was separated from it.

The claim therefore to Pomerellia is, to all intents and purposes, null and void. As well might the kings of France lay claim to all Germany, Italy, and Catalonia, as being descended from the royal

* Pomerellia was, according to the letters patent, detached from the duchy of Pomerania in 1295; the first compact of confraternity was made in the year 1338; the house of Hohenzollern was promoted to the electoral dignity in the year 1417; the elector Frederick II. claimed the duchy of Stettin, without claiming Pomerellia, in the year 1464; the succession became open in the year 1637; the letters patent were published in the year 1772.

Carolingian stock. On the same foundation, it is probable, the king of Prussia will, during the course of this summer, lay claim to the rest of Swedish Pomerania.

The other portion, which the king of Prussia claims as a part of his ancient patrimony, is that part of Great Poland which lies between the Draga and the Notec; which he says, "did, from the
 " earliest times, belong to the New March
 " of Brandenburgh, and was peaceably
 " possessed by the margraves of Branden-
 " burgh till the beginning of the fifteenth
 " century: but in the year 1402 the elec-
 " tor Sigismund mortgaged the New
 " March to the knights of the Teutonic
 " order, from whom the kings of Poland
 " took it, being at war with the order."

Now here again, sir, three things are supposed, and taken for granted; all of which are absolutely and demonstrably false.

First,

First, it is supposed, and taken for granted, that the elector Sigismund did only mortgage, and not sell and alienate the New March to the Teutonic order.

It is next supposed, and taken for granted, that at the time this elector of the house of Lutzelburgh did thus mortgage or sell the New March, the portion in question did belong to it; and that the Notec did then form the boundaries between Poland and the New March.

And lastly, that the Kings of Poland did separate and detach this portion from the New March.

With regard to the first supposition, it is beyond a doubt, that the elector did not barely mortgage, but sell and alienate the New March to the knights of the Teutonic order. This is evident from a treaty made between the king of Poland and the knights of the Teutonic order in the year 1436; in which the knights speak of the New March as belonging to them in full and entire propriety, in the same

manner as Almania and Livonia*. Should the king of Prussia appeal from this authority, we can cite him another, which to him at least must be unquestionable; even his own. He expressly declares in his Memoirs of the House of Brandenburg, that it was sold: now the letters patent were written to colour over, and justify an act of oppression and violence; the Memoirs were written without any view of immediate interest, drawn from the best sources, says the royal author, and carefully revised and corrected. His words are: “ La Nouvelle Marche, que l’ordre
 “ Teutonique avoit conquise sur l’électeur
 “ Jean, & qu’Otton le long avoit rachetée,
 “ fut de nouveau *alienée* à cet ordre: Sigif-
 “ mond ayant besoin d’argent *vendit* cette
 “ province aux chevaliers en 1402 †.”

This difference is material. If the elector had only mortgaged it, then the knights, having only the use and profits,

* Dumont, Corps diplomatique, vol. III. p. 13.

† See Memoires, p. 9.

could

could not dispose of the property; but if it was not barely mortgaged, but alienated, and sold, then they had a full property in it, and might lose it, or dispose of it: and if it was conquered from them in fair and honourable war, the electors of Brandenburg had no remedy; but when they re-purchased it, could only re-purchase what then, at the time of this second purchase, did actually belong to it. The king of Prussia therefore would gain nothing by proving that this district did belong to the New March at the time the elector Sigismund, of the house of Lutzleburg, sold it.

But in fact it is not true that this district did then belong to the New March. It is clear from the treaty above cited, that it was to have been added afterwards, but did not yet belong to the March; for it is there expressly said, that to cut off all subject of dispute for the future, the Notec shall be hereafter taken for the boundaries between Poland and the March.—“ In

Q 3

“ posterum

“ posterum erit medius terminus Notes five
 “ Byrzwennig.”

Consequently the kings of Poland cannot be said to have detached or torn away this district from the New March, since it never had been effectually a part of it, never had been possessed by the margraves of Brandenburg; though it was to have been added to the New March by virtue of a treaty with the Teutonic order.

You will perhaps tell me, that whilst I am destroying one claim I am setting up another, and a better: for if, according to my own argument, the absolute sale and alienation of the New March to the Teutonic order precluded the electors of Brandenburg from all right of recovery to what might have been lost during its being in possession of the order; by the same argument it will follow, that when the elector repurchased it, he acquired a right to every thing which the order had added to it during the same period.

I allow

I allow the consequence, sir; it is just and true: and if no good reason can be assigned why this part of the treaty of 1436 was not fulfilled, the king of Prussia has, on the footing of my argument, though not on that of his own, as full a right to that part of Great Poland as is consistent with a prescription against him of more than three hundred years; and repeated and general renunciations of all claims on the republic made since on many solemn occasions.

But I am apt to think very good reasons may be assigned why this part of the treaty was not fulfilled. The character of the elector Frederick II. is a strong presumptive proof of this. I seize with peculiar pleasure this occasion of doing justice to Frederick II. in the very words of the royal memorialist. Speaking of this very transaction of re-purchasing the New March, he says of the elector,—
 “ Though he never made an unjust ac-

“ quisition, yet he knew how to make

Q 4

“ good

“good his legal rights*.”—From this character of the elector, it should seem that he did not think he had any right to the district in question, or he would have made it good. In fact the very circumstances, under which the order re-fold the March to the elector, explain the matter. The knights had refused to fulfill their part of the treaty of 1436, a new war ensued; the cessions to be made by Poland, in consequence of that treaty, were thereby rendered null; the order was actually at war with Poland, at the time they refold the New March to the elector: it was to support that war they fold it; and the war continued almost without interruption till the year 1466. This circumstance would have facilitated the elector’s making good his rights to this portion, if indeed it had belonged to the New March; but it was to the elector a proof that his rights to the dis-

* See Memoires, p. 14.

strict in question were not legal, and that it did not belong to the March; and he therefore did not make any claim to it, direct or indirect, actual or eventual.

Is it not surprising, that what then appeared unlawful and unjust to the elector, should now appear very lawful and very just to the king?—"The elector, (says the royal memorialist) was a prince of probity and honour, not to be seduced by any views of private interest."—Upon the whole, sir, it appears, that the March was not merely mortgaged, but sold, and alienated to the Teutonic order, by Sigismund of the house of Lutzleburgh; it is therefore nothing to the purpose to enquire what were its bounds at that time: the question is, what were the bounds at the time that Frederick II. of the house of Hohenzollern re-purchased it: and it appears that its bounds had not been extended, though they ought to have been so, in consequence of a treaty made with the order; but the
order

order having infringed their part of the treaty, Poland refused to make good her part, and give up territories, of which she had been for time immemorial in rightful possession*.

The reflection therefore of the letters patent, that neither the electors of Brandenburg, nor the knights of the Teutonic order, nor the emperors of Germany, had ever ceded the district in question, is

* In the extracts from the deduction referred to by the king of Prussia, one argument made use of to prove that this portion did anciently belong to the New March is, that in some ancient documents, three towns are to be found belonging to the New March, bearing the same names as three towns comprised within the district usurped: in passing through the New March, I remember stopping at two towns, called one Vienna, and the other Warsaw. Suppose these towns to be destroyed by war or otherwise; would it follow that Vienna and Warsaw, capitals of Austria and Poland, were parts of the New March? or should a town called Scotland, lately usurped by the king of Prussia, be destroyed, would that justify his claim to the kingdom of Scotland?

just

just as futile and vain as that which closed the deduction of the pretended rights to Pomerellia: neither the house of Brandenburg, nor the Teutonic order, nor the emperors, had any right, direct or indirect, to this district, except what was founded on a contract, which not having been fulfilled on the one part, could not be binding on the other. Accordingly, neither the elector, who repurchased it, a good and just, but at the same time a firm and intelligent prince, nor any of his successors, his present majesty excepted, laid any claim to the district in question, though it was repurchased three hundred and twenty-seven years ago.

I shall not tire you, sir, with any arguments in defence of the right of prescription; I shall leave it to your own heart to contradict the assertion of the king of Prussia, that this right cannot be pleaded among civilized nations: as patience in his majesty's vocabulary signifies
an

an unremitting perseverance in doing injuries, so, I suppose, his civilized nations are those who have not the power of resisting or resenting injuries; and to such a people few rights indeed are allowed. I shall not trouble you with any refutation of his claims of indemnification for non-enjoyment of provinces he never had a right to: here he does not put on the semblance of reason or honesty. But it may be no incurious object to take a cursory survey of the treaties and transactions between Poland and the house of Hohen-zollern, or, as he pompously styles it, the royal and electoral house of Brandenburg, since the treaty of Thorn.

This treaty was concluded in the year 1466; and put an end to the long and bloody wars between Poland and the knights of the Teutonic order. Words cannot be invented clearer or stronger than are there used: the respective limits of the contracting parties are marked with a precision that cuts off all dispute:

that part of Pomerania now claimed by the king of Prussia is expressly named, and described by its principal towns*. Now, sir, what think you of the modesty of the king of Prussia? His original claim to Pomerellia goes back to 1295: in the year 1308, a margrave of Brandenburg, to whom the claimant is heir, seizes Pomerellia, and three years afterwards sells it to the knights of the Teutonic order; in the year 1454, the subjects, driven to extremity by the tyranny of the order, avail themselves of their natural rights, as you have done in England, and as, no doubt, you would do again, should you ever, which Heaven forbid, find yourselves in the same situation, as every people may and ought to do, renounce their allegiance to sovereigns who had invaded their laws, rights, and liberties, and put themselves under another sovereign. In the year 1466, this choice

* See extracts of this treaty, Appendix, M: and see a copy of the treaty at length, Dumont, Corps diplom. tom. III. p. 348.

is allowed and confirmed, with every possible solemnity, by the rejected sovereign, to whom too the present claimant is heir, and in virtue of that hereditary alone, holds his kingdom : and yet, under pretext of ancient titles, he does not blush to tell us, he has convinced all Europe of his right not only to reclaim this territory, but four times as much, the palatinates of Culm and Marienburg, with the bishoprick of Warmia, (likewise for ever assured to Poland by this treaty,) as indemnifications for non-enjoyment of that which two of his ancestors, to both of whom he is heir, had for ever given up.

That it is in virtue of being heir to the knights of the Teutonic order that he holds his kingdom is clear, unless he will rather chuse to say, that it is in virtue of a treacherous robbery of the order ; for in the beginning of the sixteenth century, Albert of Brandenburg, great-grandson of the elector Albert Achilles, became master of the Teutonic order. He declared war against Poland : the war ended happily
for

for him; for, in the year 1525, a part of Prussia was erected into a feudal duchy in favour of him and his descendants. The limits of this duchy are marked out by the principal towns, castles, rivers, lakes, &c. in the same manner as that part of Prussia, which was for ever appropriated to Poland, had been described in the treaty of Thorn*. Albert immediately quitted the habit, cross, and arms of the order, and embraced the Protestant religion; the subjects of his new duchy followed his example. Albert Frederick succeeded to this duchy in the year 1568, whose daughter was given in marriage to the elector John Sigismund. Albert Frederick falling into a state of imbecility, the elector was appointed his tutor, and at the death of Albert Frederick, the duchy of Prussia was united to the electorate. Now, sir, this same Albert of Brandenburg, who came to the possession of the duchy, now the Kingdom of Prussia, as grand master of the Teutonic order, who in that quality

* See Appendix, N.

made war upon Poland, and afterwards, by an act of policy worthy of his present successor, appropriated to himself and family what had been gained by and for the order, obtained the duchy with the same limits, and under the same restrictions, as it had before been granted to the order. John Sigismund, who united the duchy to the electorate, had it with the same limits, and under the same restrictions; the very words of the oath taken at his investiture by John Sigismund prove this:—"Denique etiam pacta priora antiqua omnia et singula, quocunque tempore à decessoribus meis Prussiae dominis aut ducibus servabo & implebo*." The disjunctive copulative between the *domini* and *duces* plainly refer to those

* See Letters of Sigismund III. king of Poland; Letters of John Sigismund, elector of Brandenburg; diploma of investiture; provision for the preservation of the rights and liberties of Prussia; oath prescribed to the subjects of the new duchy. Dumont, Corps diplom. vol. v. partie ii. p. 179—195.

who were in possession of Prussia before it was erected into a duchy, that is the knights of the Teutonic order. Here then are two other formal renunciations to Pomerellia, and to every place comprised under the name of Polish Prussia.

In the year 1655, a treaty of alliance and mutual defence was made between Frederick William, elector of Brandenburg, and the states of Polish Prussia, in the 20th and 38th article of which the elector is allowed to put garrisons into some of the towns of Pomerellia; and in the 26th article it is stipulated, that the war finished, these towns shall be restored to Poland "*absque ulla prætensione*.*" Here then is another acknowledgment that Pomerellia did of right belong to the king of Poland.

This treaty was made by Frederick William, whom the royal memorialist calls, "The great elector, the honour and

* See this act, Dumont, Corps diplom. vol. VI. partie ii. p. 124.

“glory of his house.” Nor is it to be wondered at, that the king is so lavish in his praises; he was master of his majesty’s favourite maxim, “qu’il faut s’attacher pour son avantage:” and consequently not be dupe enough to keep a treaty, that begins to be hurtful to one’s interest. Accordingly, the very year after he had made this treaty against the king of Sweden, the elector changed sides: and to use the words of the royal memorialist, “as the Swedes had made him advantageous propositions, he attached himself to their fortunes, and concluded at Königsberg a treaty with that crown, by which he recognized himself vassal of Sweden, and did homage for the duchy of Prussia, on condition that the bishoprick of Warmia should be secularized in his favour*.” Had this elector considered Pomerellia as a part of his ancient patrimony, he had a fair opportunity

* See Memoires, p. 113.

of making good his claim: for his alliance was of infinite importance to Sweden.

At the latter end of this same year 1656, a second treaty was made between the same princes, by which the king of Sweden releases the duchy of Prussia from the feudal bond, and erects it into an independent sovereignty; and so far was the elector from imagining that Pomerellia belonged of right to him, or that it did not belong to the king of Poland, that he engages to assist the king of Sweden in forcing the king of Poland to give it up to his Swedish majesty, as an indemnification for the expences of the war. The words of the treaty are: “*Serenitas sua*
 “*electoralis ejusque successores legitimi*
 “*vicissim virtute sæpius dicti articuli VII.*
 “*tenebuntur unà cum S. R. M. et ejus*
 “*successoribus, & regibus, & regno Sueciæ*
 “*agere & cooperari, ut Borussia regia, Po-*
 “*merellia, et eò spectans Cassubiæ pars,*
 “*item Samogitia, Semigallia, Courlandia,*
 “*et Livonia cum suis pertinentiis & juri-*

“bus S. R. M. et ejus successoribus, regibus, & regno Sueciæ, in satisfactionem a rege & republica Poloniæ magnoque ducatu Lithuanix in perpetuum cedantur*.” Had the elector had the least

idea of having any right to Pomerellia, would he not have asserted it here, made a merit, and acquired greater consequence with his new ally, by yielding his interest therein, and not have ranked it with other undisputed possessions of Poland?

The royal memorialist, speaking of the elector, says: “the effects of his good faith were, that he assisted his allies:” his good faith was the well known fides Punica: he assisted his allies, if you will, but he changed his allies as often as a coquette changes her lovers. This last treaty was made with Sweden on the 10th of November 1656: and on the 12th of December in the same year, he made a secret treaty with John Casimir king of

* See this treaty, Dumont, Corps diplom. tome VI. partie ii. p. 152.

Poland.

Poland. For, as the royal memorialist observes, it was a maxim with the great elector, "to prevent the laws of necessity, "and to yield with a good grace*."

In the year 1657, was signed the treaty of Velaw: in which the elector renounces all rights acquired by his treaties with Sweden, and particularly on the bishoprick of Warmia: the king of Poland, on his part, releases the duchy of Prussia from the feudal tie, and erects it into an independent sovereignty, "*iis finibus circumscriptum quibus olim jure feudi possidebatur:*" in lieu of vassalage the elector and his successors to be allied with the republic "*perpetuo & inviolabili fœdere:*" never to make alliances with the enemies of the republic, and renouncing "*plenariè, et absque ulla reserva-*

* The sentence is incomplete in the original. I suppose the royal memorialist imagined every one would readily supply "to the dictates of his own interest," and he left it to his own historian to say, that this maxim was afterwards generally adopted in his house.

tion^e,^a to all that belonged to Poland*. The kings of Hungary, Bohemia, and Denmark, together with the States General, are guarantees of this treaty.

During the course of this same year the treaty of Velaw was confirmed at Bydgosc. In the act of ratification the king confers upon the elector the districts of Bytow and Lavenburgh as fiefs to be holden of the crown of Poland: they were parts of little Pomerania, or Pomerellia. How came the elector to receive this part of Pomerania as a fief revertible to the crown of Poland, if indeed he were rightful heir to the whole?

Stop here a moment, Sir; consider the order, tenor, and force of these acts of renunciation; examine the articles referred to, and contained in the Appendix†. By the first is expressly defined

* See extracts from this treaty, Appendix O; and see a copy of the treaty entire in Dumont, Corps diplom. vol. VI. partie ii. p. 191.

† Under the letters M. N. O.

what

what is to be understood by Polish Prussia, of which Pomerellia is declared to be a part; and all right or pretension to it is renounced by the order, who had bought it of a margrave of Brandenburg, who had violently disseised a king of Poland of it: by the second is particularly marked out what part of Prussia should belong to the house of Brandenburg: by the third, an elector of Brandenburg, then duke of Pomerania, renounces fully, and without any reserve, every thing that belongs to Poland; and this same elector, duke of Pomerania, had, a year before, in a treaty with Sweden, declared, that Pomerellia did belong to Poland; declared the same thing in this treaty, and in consequence thereof, evacuated Dirschau, a town of Pomerellia: and, to crown all, makes the observance of this treaty an engagement taken in lieu of vassalage; and therefore the essential condition, the *sine qua non*, upon which he and his heirs were to hold the then duchy, now king-

dom of Prussia.—Judge after this of the modesty of the man, who can set up a claim to Pomerellia four hundred years earlier than these acts, and even add, that the dukes of Pomerania had never renounced that claim. Were justice alone to be consulted, instead of allowing his claims, she would pronounce the kingdom of Prussia, ipso facto, forfeited; and, de jure, reverted to the crown of Poland.

In the year 1660 the war between Poland and Sweden was terminated by the peace of Oliva. As almost all the princes of the North had been involved in this war, either as principals or allies, provision was made for the claims of them all. Here then was another fair opportunity for the house of Brandenburg to produce and make good its claims upon Poland, if any such it had: on the contrary, the second, seventh, eighth, and fifteenth articles contain a formal acknowledgement, that all the contracting parties considered all the Royal, or Polish

Prussia,

Prussia, such as it then was, and such as it continued to be till the late usurpations, as belonging of right to the king and republic of Poland. This right is more particularly recognised by a separate act of the elector of Brandenburg, in which he stipulates for the independence of the ducal Prussia according to the treaties of Velaw and Bydgosc. Had the house of Brandenburg had any right to the provinces now claimed, the elector would not have been silent on them then: silence at such a moment is a renunciation. All the contracting parties, “*tam principales quam fæderate*,” guaranty all the cessions and restitutions contained in this treaty. It was made by the mediation of the crown of France; guarantied by that crown, the house of Austria, the crowns of Great Britain and Spain*. In the separate act, guarantied by the same powers, the elector refers the guarantees

* See *Johannis Georgii Boehmii Acta Pacis Olivensis, Vratislaviæ edita 1763.*

to the treaties of Velaw and Bydgosc, as containing a full decision of all his rights on the side of Prussia: by this reference he puts these treaties under their guaranty and tuition; and they, by including this separate act, and giving it the same force as if inserted in the body of the act, do as effectually guaranty the treaties there referred to, as they do that of Oliva. It is thus the king of Prussia himself understood it. Speaking of the treaty of Oliva, he says: "On garantit à l'électeur le traité de Braunsberg." Braunsberg is the German name for Bydgosc*: the treaty of Bydgosc was a confirmation of the treaty of Velaw.

In the year 1699, the elector Frederick III. "took advantage (says the royal biographer) of the troubles of Poland, and seized upon Elbing to reimburse himself for a sum due from Poland†." The time of payment was fixed by a treaty;

* See Memoires, p. 129.

† See Memoires, p. 220.

a crown and certain jewels were pledged as a security to the elector, and it was agreed, that in default of payment he should enter on the territories of Elbing. The last article of this treaty says: "Reliqua omnia, omnibus sublatis ab utrinque prætensionibus, in vigore veterum, et recentiorum pactorum Velaviensium manebunt *."

In the next year this same elector obtained from the emperor the title of king, and was thenceforth called Frederick I.: as elector of Saxony, Augustus II. acknowledged the title: but though Frederick gave the strongest assurances to the republic, that by this increase of dignity he did not mean to lay any claim or form any pretensions on her, still she refused to acknowledge the title: nor was it acknowledged till the year 1764; nor then till the plenipotentiaries from Berlin had declared in the most solemn manner,

* See this treaty in Dumont, Corps Diplom. vol. VII. partie ii. p. 474.

that

that their master laid no claim, formed no pretensions on Poland: the words are: “S. R. M. Borussiae nec animus nec mens est, usu regii tituli, tractatibus & conventionibus inter illam & serenissimam Remp. feliciter existentibus quicquid praëjudicii afferre: quin potius omnium Reip. jurium æquè ac libertatum garantiam seu tuitionem præstabit, & manutenebit.”—The word “possessions” was here omitted, either by accident, or design; but, in a second act drawn up by the republic, and confirmed and signed by the king of Prussia’s own hand, it was stipulated, that this acknowledgment should be “*sine finium regni Poloni immutatione, et quum cæterorum regionum, tum Borussiae cum prædicto regno junctæ damno: nec non juribus, titulis, prærogativisque regum Poloniae salvis*.”—This surely was a full renunciation of all claims upon Po-

* See Lengnich Jus. pub. Pol. lib. I. cap. v. sect. vii.

land,

land, either as king of Prussia, elector of Brandenburg, or duke of Pomerania. Yet now he can tell us he has never renounced his claims, and that all Europe is convinced of the justice of them.

This is the more revolting, as this same king of Prussia tells us, that when France endeavoured to persuade his father to send a body of troops into Polish Prussia, and sequester it, as he had done Swedish Pomerania, the king refused it, "because," says the memorialist, "he thought it unjust.*" Should you again ask me, Sir, what could make that appear just to the son, which appeared so palpably unjust to the father, the answer must again be sought in the difference of their characters. The late king of Prussia was an honest man, though of the house of Hohenzollern: I love to do homage to rare merit; so take his character in the words of the royal memorialist: "He

* See Memoires, 356.

"knew

“knew no other policy than probity;
 “and was so religious an observer of his
 “engagements, that neither private in-
 “terest nor ambition were listened to,
 “when he was called on to fulfil them*.”

The notions of the son are more enlarged.
 Would you have his picture, sir? He
 shall give it you: it is like him, though
 he drew it for the emperor Leopold. “He
 “knows no rights but his own; no pre-
 “tensions but those of the house of Bran-
 “denburg; no other rule of justice but
 “his own pride and ambition.”

In the letters patent the towns of Thorn
 and Dantzic were excepted from the u-
 surpations of his Prussian majesty. This
 exception appeared necessary to prevent
 the commercial and maritime powers from
 taking the alarm. You may judge of the
 importance of the trade to Dantzic by the
 annexed state of its imports, and exports
 during the year 1771 †. With regard to

* See ib. 362.

† See Appendix P.

the trade which Great Britain carries on there, you will just permit me to add, that the British goods consumed in Poland and Lithuania are almost all sent by way of Dantzic; that the goods exported from Great Britain to Poland greatly exceed those sent from Poland to Great Britain; that all British goods, of whatever denomination, are permitted; that the duties upon them are very low; that many articles are sent there, for which there is no longer a demand in other countries: Poland is, I believe, almost the only country that imports your sugars thoroughly refined to the last stage of that manufacture, which it does in large quantities. The exports from England of tobacco, manufactured in all its species, is greater to Poland than to any other country; Poland consumes large quantities of your woollen goods; it takes from you large quantities of hardware, malt liquors, pimento, ginger, pepper, rice, coffee, leather, lead, tin, salt, sea coals,

etc. it would take large quantities of tea, if that trade were free; and large quantities of cod and herring from Scotland, if that fishery flourished.

As all these goods, as well as those from other countries, are imported at Dantzic, though consumed in Poland and Lithuania, the king of Prussia saw that the seizure of Dantzic would naturally alarm the commercial and maritime powers, and he therefore declared it free in his letters patent; reserving to himself to reduce that freedom to nothing, by after-manceuvres*.

He knew besides, sir, that the rights and liberties of Dantzic were guarrantied

* I have now before me a list of ships entered at Dantzic, in the year 1769, viz. Dantzigers 155; English 90; Swedish 300; Danish 62; French 2; Dutch 320; Lubeck and Pomerania 103; in all 1037. I know this account is not perfect, because the tonnage is not specified: but putting that at the lowest rate, would not the seizure of such a town be a good foundation for a maritime power.

by

by all the powers of Europe; and that not in a slight and transient manner, but by such a regular succession of acts, as is almost unexampled in history. And he did not seem to rely so much as perhaps he might have done, on the supineness and inattention of these mighty guarantees.

He knew, that heretofore, when the rights and liberties of Dantzic had been only obliquely, or at most but partially attacked, many of the powers in Europe had exerted themselves in its defence.

The States General have on many occasions asserted and defended the rights and liberties of Dantzic. It was by their mediation that the 42d article was inserted in the treaty concluded between Denmark and Sweden, in the year 1645, by which the rights, liberties, and commerce of Dantzic are expressly secured. In the wars between Poland and Sweden, they shewed the same attention to these objects; they concluded a treaty with Denmark for

the same purpose, in 1646; they assisted the town with a fleet and a reinforcement to its garrison.

France had shewn equal attention to the interests and welfare of the town, and that so lately as 1716 and 1760.

Russia had likewise guarantied all its rights, liberties, and privileges repeatedly and solemnly, in the year 1736; again at the accession of the present empress, and more lately in the year 1767.

I only hint, sir, at a few of the different acts of guaranty of the other powers, permit me to be a little more explicit as to those of Great Britain, the rather as you seem to imagine that the town of Dantzic has no other right to reclaim the assistance of your court than what it derives from the guaranty of the treaty of Oliva.

I shall not, like his Prussian majesty, lay much stress upon treaties and transactions past three or four centuries ago, such as the treaty concluded in 1436, between

Henry

Henry VI. and the Hanse towns, among which was Dantzic, or that concluded in 1474, between Edward IV. and the same towns, or even that concluded in 1631 between Charles I. and the town of Dantzic in particular. I mention these only to prove that the preservation of the rights and liberties of Dantzic has always been considered as an important object from the first moment that commerce reared its head in England. But I would wish to direct your attention to treaties more full, explicit, and recent.

In the year 1655, a treaty was concluded at Elbing, between Charles Gustavus, king of Sweden, and the States General, to which England, France, Denmark, and the house of Brandenburg acceded; the town of Dantzic is particularly and by name included. — "*Civitas quoque Gedanensis comprehendatur & includatur, quemadmodum hinc comprehenditur & includitur, cum omnibus suis*"

between 1430. S 2 Henry

" suis juribus, privilegiis, immunitatibus,
 " libertatibus, & legitimè receptis consue-
 " tudinibus, salvâ atque integrâ fide, quam
 " prædicta civitas regi Poloniæ debet, ita
 " ut cesset inter S. R. M. Sueciæ et civi-
 " tatem Gedanensem, omnis hostilitas."

And that you may not imagine, the in-
 tention of this treaty was only to secure
 the town of Dantzic from acts of hostili-
 ty on the part of the king of Sweden, the
 treaty adds, " Proinde neque altissime
 " præmemorati reges Galliæ et Daniæ,
 " Protector Angliæ, Scotiæ, et Hiberniæ,
 " electorque Brandenburgensis, neque præ-
 " fata civitas Gedanensis ullo modo ab al-
 " terutro fæderatorum impediuntur in na-
 " vigatione, atque libero commerciorum
 " usu, in prædictis maribus atque flumí-
 " nibus; ut nec in regnis, ditionibus,
 " urbibus, dominiis, juribus, atque liber-
 " tatibus suis, directè vel indirectè ullum
 " iis incommodum vel injuria nunc, vel
 " in posterum ab alterutro fæderatorum
 " crea-

“creabitur*.” The word “fæderati” comprehends not only Sweden and Holland, but all the princes and states admitted as contracting parties. That this interpretation is not arbitrary, nor invented to serve a particular purpose, appears from a treaty concluded at the Hague, on the twenty-first of May, 1659, between England, France, and Holland, for the purpose of forcing the northern powers to make peace: by the sixth article of which they engage “de faire leur possible pour mettre en sa perfection le traité d’Elbing & les elucidations d’ice-lui; & que l’électeur de Brandeburg & la ville de Dantzic puissent jouir des effets de l’inclusion dans le dit traité†.” It appears still farther from another treaty made likewise at the Hague, in the same year, between

* See this treaty in Dumont, Corps diplom. vol. VI. partie ii. p. 147.

† See this treaty, Dumont, Corps diplom. vol. VI. partie ii. p. 252.

England and Holland, for the same purpose of restoring peace in the North, and enforcing the treaty of Elbing; in which it is likewise stipulated, “*que tous les états compris dans la dite alliance jouiront des commodités et bénéfices stipulées dans le dit traité **.” Here the states included in the treaty of Elbing are styled “*les états compris dans l’alliance*,” that is “*fæderati*.” The sense of the term is precisely fixed by the very parties in the treaty: the elector of Brandenburg was one of the parties, and as such engaged never to infringe the rights and liberties of the town of Danzig: — “*nec tunc nec in posterum*.” England was one of the parties, and as such obliged to see to the execution of it; and engaged herself so to do by two other treaties made afterwards.

I have already mentioned the treaties of Velaw, Bydgosc, and Oliva; to en-

* See *ib.* p. 260.

force the execution of which the king of Great Britain did, as guarantee, and at the desire of the king of Prussia, again engage himself by the first separate article of the treaty concluded at Hanover, in the year 1725, between Great Britain, France, and Prussia*.

In the year 1707, Queen Anne concluded a treaty with the town of Dantzic, by which, among other privileges, the English are allowed to have magazines of their own, and there to keep their goods as long as they please, and and sell them when the price is most advantageous to them; a privilege, I believe, not common in many ports; at least at Riga, I know, the factors, must either sell, or re-export their merchandises in fourteen days; they are allowed by the same treaty, at certain seasons, to

* See collection of treaties, dedicated to Sir Robert Walpole, in four vols. 8vo. Lond. 1732. vol. IV. p. 150. See also Rouffet, Recueil historique, vol. II. p. 189.

sell their goods to strangers, as well as citizens; so that every possible method is taken to enable the British merchant to dispose of his goods to the best advantage. By the same treaty it is stipulated, that no advantages shall hereafter be granted to any other nation, without being at the same time, and ipso facto, communicated to the English*.

All the privileges granted to the town of Dantzic, and reciprocally those granted by the town to England, are again confirmed by the 13th article of the treaty of Utrecht. And though this article, as well as the treaty of Queen Anne, may be thought to contain only assurances of mutual privileges in matters of commerce, yet most certainly they imply also assurances of protection on the part of England, so far forth, as is necessary to secure the town from being deprived of the enjoyment of these privileges by any acts

* See other extracts from this treaty, Appendix, I.

of external violence. This is the interpretation always put on all the treaties of commerce made with the Hanse towns. But farther: so late as the year 1767, the empress of Russia made a treaty with the town of Dantzic; of which I send you an authentic translation*. You will there find the following words.—“Moreover, “as it is our interest that the said city of “Dantzic should remain in its present “state, without any change, we do re- “new to the said city our most gracious “guaranty; promising effectually to pro- “tect the same against all and singular “pretensions and demands whatever, now “made, or hereafter to be made upon it: “and ever willingly to grant our strongest “interposition towards fully and entirely “maintaining it in all its rights, liber- “ties, privileges, customs, religious or “civil; and specially in the possession of “its territories and lands; in its right of

* See Appendix, K.

“navigation, commerce, port, coinage,
 “and garrison, without any diminution
 “thereof.”—There is a pleasure in read-
 ing the public acts of her Czarian ma-
 jesty, they are so clear, so full, so ex-
 pressive; truth itself seems to guide her
 pen. Her majesty goes on: “Should it
 “so happen, which God in his mercy
 “avert, that the present dissensions about
 “the rights of the Dissidents should
 “bring on a war, the said town being a
 “part of the Dissidents, shall, provided it
 “join the good cause, be protected by us.
 “And moreover, should the city, in con-
 “sequence of these troubles, sustain any
 “injury either in its goods, chattels, or
 “revenues, should any infraction be made
 “of its rights, at the pacification, not
 “only reparation shall be made for the
 “injuries sustained, but all its rights and
 “privileges shall be again most strongly
 “guarantied, not only by us, but also by
 “all the other high powers engaged with
 “us in the cause of the Dissidents.”

Now, sir, the king of Prussia knew that he was one of the powers engaged with the empress in this same cause of the Dissidents. He knew too, that in the act cited in my last, not only Denmark and Sweden, but *Great Britain* too was declared a party in this cause: and he hardly presumed enough upon the tameness of your court, to imagine, that you would see this treaty violated, and, in contempt of it, Dantzic seized with impunity. It was natural to reason thus. Either Russia made this plain and strong use of the name of *Great Britain*, with the consent and authority of the court of *Great Britain*; and in such case that court will think itself bound to fulfil a guaranty so full and expressive, made so lately and solemnly; or Russia took this step without the knowledge and authority of the court of *Great Britain*; and in such case the honour of that court will require, that Russia do fulfil engagements, to which she has made *Great Britain* a party, who certainly

certainly will not submit to so gross an affront, as being made, without her knowledge, the tool of oppression.

But though these considerations were strong enough to prevent the king of Prussia from coming immediately to overt acts of violence, they were not of weight sufficient to prevent his resolution of undermining and annihilating those liberties he pretended to respect.

He began by seizing on the territories of the town, under pretence of their having been formerly parts of Polish Prussia; and though alienated and ceded to the town by the kings of Poland, yet he declared these alienations void, because having been made at a time, that the province and town were under the same prince, the reasons of making them ceased, now they were fallen under the dominion of different masters. Upon this pretext he seized upon the little island of Holm, the peninsulas of Hela and Legan, a suburb called Scheidlitz; another called

Scharpau;

Scharpau; the district of Nehring, and the canal called the Fahrwasser. He had already seized, as parts acknowledged to belong to Polish Prussia, an angle of the port called Puziger-Winkel, the suburbs of Dantzic, called Scotland, Hoppenbruch, Holland; a little town called Stoltzemberg, a village called Langfauhr; the abbey of Oliva, with all its dependencies. By these seizures he commands the town, being master of all the heights around it, of its gates, works, and harbour: upon the same principle he claimed and seized all the port-duties.

And here he behaved with unparalleled insolence to Great Britain, and all the powers trading to Dantzic; for he heightened the duties upon all goods exported and imported, which is a direct breach of the first and second articles of the treaty with queen Anne, in which it is expressly stipulated, that the duties should remain as they were then fixed, and British goods be subject to no other payment whatever.

ever*. I know his ministers deny this, and even pledge their master's honour in support of it: the merchants' books will prove the truth of my assertion; and I am apt to think, most people will look upon them as better vouchers than his Prussian majesty's word of honour. To mention only two instances; the duties upon tobacco are augmented so highly, that they amount to a total prohibition; under the name of port-duties, he insisted on the British nation's paying certain monies, which had never been paid either to the kings of Poland or the town, but solely to trustees appointed by the factory for particular national purposes†. He published an

* See Appendix, Q.

† Should the British ministry have occasion to speak on this subject again, I will venture to foretell the answer: it will be allowed that the duties are heightened for the moment; but assurances at the same time will be given, that as soon as the town has submitted itself to the king of Prussia, every thing shall be put on the ancient footing. They will know what reliance is to be had, on future promises, from the truth of present representations.

I wish

edict, attributing the exclusive right of the importation and exportation of salt to the vessels of a new maritime company; in direct contradiction to the same treaty, which allows the British merchants to export and import it in British bottoms. He erected another company, to which he attributed the exclusive commerce of wax. He forced the British merchants to pay all the duties immediately, and before the ships entered into the harbour, refusing not only the joint security of the consul and nation, but even the request of the consul to accept a deposit of the money, till he could receive orders from his court, though, by the same treaty, it is expressly stipulated, that the British merchants be allowed to give security for the payments.

The town of Dantzic, attacked in privileges essential to its existence, published a deduction of its rights, drawn from authority which they may be able, by any negotiation, to secure the rights and liberties of the town.

thentic

thentic records. The king of Prussia seized with eagerness this opportunity of drawing off the attention of the other courts of Europe from the main point of view; and taking it for granted, that his seizures in Polish Prussia were recognized to be just and lawful, sets off from thence, and attempts to refute the deduction of Dantzic. The magistrates are actually employed in drawing up a reply to this pretended refutation. But surely the contest is no longer equal; his rights are founded on a false supposition that the seizure of Polish Prussia is legal; and, that supposed, they are to be proved by the records of the abbey of Oliva; but that abbey and those records are in his possession; and how easy will it be for him to make them speak any language he pleases? to make them vouch whatever his interests require? He, who has been so often, and so lately, convicted of coining false money, may, without disrespect, be supposed capable of producing forged records.

Besides,

Besides, sir, how contemptuously soever his Prussian majesty may speak of the British councils and ministry, we are persuaded, they will treat with the scorn it deserves an attempt to restrain the extent of the guaranty of their court by musty records or falsified documents. Great Britain did not guaranty the walls of a town, but a place which was to be a general mart for her goods, from whence a great and extensive kingdom was to be supplied with her manufactures and merchandizes; the spirit of such a guaranty requires that she should secure to the town all that is necessary to this end. Were the claims of the king of Prussia upon these districts of Poland authenticated, still she would have a right to insist on his ceding every thing necessary to this end; with how much stronger reason, since those claims are seen to be false and supposed?

Not only the prosperity, but the very existence of Dantzic, as a free commercial town, is at an end, unless it be independent, absolutely and altogether in-

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depen-

dependent of the king of Prussia; its commerce cannot subsist unless it has the full and exclusive sovereignty over the harbour; unless he relinquishes not only the territories belonging to the town, but many of his other seizures in Polish Prussia, and especially the places, which, I have told you, command the town; unless the navigation on the Vistula be free; unless provision be made against the imposition of new duties, customs, or excises on the goods coming to, or going from Dantzic, by land or water; unless it be put out of his power to turn the course of the Vistula into the Nogat: nor perhaps would all these precautions put your commerce on the same advantageous footing it was before: most certainly they will not, unless at the same time you restrain the usurpations of the three powers. It is not enough to secure the repository of your goods, the channels of consumption must be preserved: without consumers there can be no purchasers: if those who should purchase are irre-

irretrievably impoverished, or fall under new masters, what demands can you expect? You will find a wide difference between the quantity of goods and merchandises consumed in the countries occupied by Austria, Russia, and Prussia, and those consumed in the same countries, while they were under the Polish government: your goods will no longer reach the countries occupied by the two former; and many will be prohibited in the latter. Under the Prussian government it is not possible there should be many wealthy subjects: in Poland there were many: their riches arose from agriculture: there was scarce a manufactory in the kingdom: and neither the genius of the people, nor the situation of the country, made it easy to establish them for a century at least.

But the mere loss of one lucrative branch of commerce is not the only evil Great Britain has to fear from the seizure of Dantzic. A new commercial and maritime power will be formed. Nor can

you, I think, be the dupe of that common opinion, that Prussia being a military government, commerce cannot flourish there: this is arguing from the present state of the kingdom to another very different one: with his views of ambition it was necessary to establish a military government; it was necessary that his military establishment should be out of all proportion with his civil force: in a word, it was necessary that he should continually make unnatural efforts; how else could he hope to make such acquisitions? But allow him to acquire a little more, and his military establishment will be no longer disproportionate, his situation will at once be easy and natural; and what should hinder him then from applying himself to commerce and navigation? He will be soon able to surmount difficulties, which were insurmountable even to Lewis XIV. The materials of building are at hand and cheap; he has not the watchful eye of a jealous neighbour to fear; workmen may be easily de-

bauched;

bauched; he is rich; wood, that, if I am well informed, has been preparing these two years in Silesia, for your navy, and under the direction of your artificers, may be appropriated, and the artificers compelled to serve him. He has a thousand advantages, which people do not, or will not attend to. So apt are we to consider that as impossible, which is only difficult; as impracticable, what has never been properly attempted.

The failure of two attempts, the establishing of an India and Levant company, prove nothing against my arguments: he was not then what he will be now. In the mean time men are blind to what he has done for the interior commerce and manufactures of home consumption, with all his disadvantages of a confined country and a too numerous army, especially in the manufactures of woollen goods, and hats, with which he supplies not only his own army and subjects, but even many of the neighbouring parts of Germany.

You have now, I think, sir, a pretty good idea of his Prussian majesty's conduct with respect to us: he goes back five hundred years to find out the shadow of a claim to two districts; this claim, though evidently groundless, he supposes well-founded; he then concludes, that, by way of indemnification for non-enjoyment of what never belonged to him, he may add to his seizures another tract of land three times as extensive: though before his claims were avowed, his robberies and pillages were so enormous, that they would have purchased his marquissate, and electorate: but there he says, his claims cease: he renounces all farther pretensions. Scarce is the renunciation pronounced, when he repents of it: and adds the extensive and fertile province of Cujavia; seizes on the territories of Thorn, summons the town to do him homage, though expressly excepted from his usurpations in his own manifesto; seizes the territories, revenues, and harbour of the

only

only maritime town in the kingdom, though likewise expressly excepted from his usurpations in his own manifesto; augments the duties, erects new excises, establishes monopolies, affronts our friends and allies, by stopping their ships, and annulling their privileges, and then sends his ministers to assure your court and others, that these allegations are not true; employs agents at Pillaw and Konigsberg to persuade your manufacturing towns that their trade will not suffer; and assures all Europe in a public declaration, that he has nothing in view in all he does, but to put the trade of the town on a more flourishing footing. For so he closes his pretended refutation of the rights of Dantzic.

I think I have now, sir, acquitted myself of my original promise: I think I have proved what I asserted in my first Letter, that of the six propositions, into which the first joint-manifesto of the three courts was reducible, the two first only

appear to be true, and the rest a continued tissue of artifice and falshood.

Permit me, however, to intrude a little longer on your patience, while I venture, though with diffidence, to hint my ideas of the extent of his Prussian majesty's present plan.

If you consider with attention the conduct of the house of Brandenburg from the time of the margrave Albert to this hour, by what various pretences it has augmented its domains; first a feudal duchy torn from Poland; then that duchy erected into an independent sovereignty; then new territories added to it; on another side, the duchy of Cleves, the counties of Marck and Ravensberg, the bishopricks of Minden and Camin, together with the eastern part of Pomerania acquired by the treaty of Westphalia; the better half of Swedish Pomerania acquired afterwards; the seizure of Silesia by the present king; the duchy of Prussia erected into a kingdom; that kingdom now more than doubled;

bled; almost all the rivers which empty themselves into the Baltic secured to him; a treaty carrying on by which he is to acquire the duchy of Mecklenburgh: and to become master of the ports of Rostock and Wismar:—you must allow that this house has pursued a plan of aggrandisement with a perseverance and success that ought to engage the attention of every state in Europe.

If you consider farther the successive increase of his military establishments, and the physical impossibility of long maintaining such a vast army without extending his domains: if you observe how many new levies he is raising in his new usurpations, though his army was already much superior to any resistance he could fear from that quarter*;—you will not

* At the death of the great elector, in 1688, his army consisted of 28,000 effective men; at the death of Frederick I. in 1713, of 30,000; at the death of Frederick II. in the year 1740, of 72,000; in the year 1771, of something more than 200,000; and since the publication of the infamous treaty of partition, he has added about 40,000.

find it difficult to believe, that he means now to put the finishing stroke to the fabric he and his ancestors have been rearing so long; that he means now to accomplish the advice his grandfather seemed, he says *, to give his posterity in acquiring the regal dignity: "I have acquired you a title, render yourselves worthy of it; I have laid the foundation of your grandeur, it is yours to bring the work to perfection." The sagacity of prince Eugene will then, though too late, be admired, who looking forward to the probable consequences of that act, said, "the Emperor ought to have hanged the minister who gave the pernicious advice of consenting to the erection of this upstart royalty †."

But may we not venture to go a little farther? Will it be too much to say, that a little attention to the manner in which he sets forth his claims upon Poland, to

* See Memoires, p. 216.

† See Memoires, p. 228.

his conduct since, to that of his allies, to the situation and motions of the Austrian and Russian troops, will give us almost a clear insight into his future plans?

Upon reading over the abridged deduction of his rights, you must have remarked, that of two, both indefensible, grounds of claim, he has chosen the worse, the more inconsistent, and less tenable. Had he claimed Pomerellia, and what he calls a portion of the New March, as ancient parts of the possessions of the Teutonic order, his claim would have been indefensible, because refutable by many recent treaties: but in that he would have stood upon no worse ground than his allies; he would not have had the additional absurdity of claiming in right of antecessors, to whom what he claimed had never belonged. These districts did once belong to the order; but neither did Pomerellia ever belong to the dukes of Stettin, nor the part of Great Poland situate between the Draga
and

and the Notec, to the margraves of Brandenburg, in virtue of being heir to whom, he claims them: he would not have been reduced to the necessity of demanding indemnifications. That his original design was to claim them as parts of the possessions of the Teutonic order appears more than probable: for before the seizures were formally made, medals were struck to commemorate the approaching event; edicts were drawn up to regulate the courts of justice; the legend of the medals is, "Regno redintegrato;" in the edicts Polish Prussia is styled, "la partie reincorporée, et reunie au Royaume de Prusse:" both which phrases plainly seem to found his rights on the quality of successor to the Teutonic order.

What then could tempt him to change his plan, and adopt a claim still more untenable? Two reasons have been assigned: the one, that it was easier for him to envelop the subject in the obscurity of antiquity; and this perhaps may have had its

weight.

weight. History can give but little insight into the genealogy of petty princes of Pomerania, their respective portions, rights, and family agreements; or into the transactions of obscure insignificant counts of Hohenzollern, whose names had hardly made their way beyond the limits of their own farms, five hundred years ago. The other reason assigned is, that by putting his claims upon this footing he was less likely to alarm his neighbours and allies: had he pretended to claim as successor to the order, he must, to have been consistent, have carried his pretensions farther, and demanded Courland, and Semigallia, Esthonia and Livonia, for they too were anciently possessed by the order; the eyes of Russia and Austria would then have been opened too soon, and before he was in a situation of maintaining his pretensions against them.

Every one must judge for himself, Sir, of the degree of weight due to this reason; and whether the king of Prussia renounced

nounced his first plan of defence with the real hope of deceiving Austria and Russia, or only with a view of furnishing them with a pretext for saying, they were deceived, and had no apprehensions beyond the letter of his declarations. To me it appears impossible to believe that they are really deceived by this shallow artifice. I should think rather, that whatever they may pretend, they are convinced his designs go much farther: and that, to reconcile them to this idea, he has held out to them a great, and extensive plan, in which each may have a distinct object, all perfectly consistent, and where consequently the ambition of each may be satisfied without clashing or interfering.

I know this is contrary to common opinion; I know it is generally said, that the three powers cannot long agree, that they must soon quarrel, and the alliance dissolve of itself.

Once a thing is advanced, which carries with it an air of probability, it is repeated

repeated so often, that at last it seems to have the reflected approbation of all the world; though perhaps of the thousands who assert it, no two have examined the meaning of what they say. This very war affords us more than one example of this. When it was first said that Russia would send a fleet into the Morea, the design was pronounced by some one romantic and impossible; the assertion was caught, and flew from one country to another as an incontrovertible decision: the fleet was ordered, and, thanks to Great Britain, arrived, and did wonders. It was next asserted, that Russia would be ruined by her very successes; that her finances were narrow, and her resources few; every campaign it was repeated, that she could not possibly find either men or money for another; I have heard this confidently asserted in Poland, at Vienna, at Berlin, at Dresden, at Brussels, at Paris, and lately in letters from London; yet have her efforts been greater every

every fresh campaign than the preceding ; yet during this whole war has she been at more expence in the purchase of libraries, statues, pictures, jewels, antiques, and in the encouragement of every art, than any other prince in Europe, of whom modern history speaks, except only Lewis XIV. Now I am apt to think, Sir, this assertion, that the three powers must soon and inevitably quarrel, is just as subject to restrictions and doubts as the other two : so long as their designs seemed directed to the single object of the partition of Poland, that assertion was probable : but should they, as I imagine, have proposed to themselves three distinct and not inconsistent objects, should the seizures in Poland be only preludes to the great plan, and made, among other ends, to bring them near enough to co-operate with greater ease ; then, I apprehend, their quarrels and rupture are neither so near, nor so certain.

Allow

Allow me to go for a moment on this supposition, that they have proposed each a great and separate object; that the object of Russia is the free navigation on the Black Sea, and the Bosphorus, the acquisition of one or more islands in the Archipelago, and by consequence a short and sure navigation to the Mediteranean; these were known to be the favourite objects of Peter the Great, and of the war of 1737, and have always been supposed the objects of the present war. Let us suppose the objects of Austria to be the conquest of Belgrade, Servia, Bulgaria, Moldavia, and Wallachia: the house of Austria has long wished to be in possession of the Lower Danube; and therefore in this light, as well as on other accounts, these acquisitions would be important. The possession of the coasts, ports, and towns on the Baltic is clearly and avowedly the object aimed at by Prussia.

The supposition, therefore, that this plan has been traced out by Prussia, and

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adopted

adopted by the other two powers, carries nothing absurd, or romantic in the idea. And this supposition, and to my understanding this alone, can explain the obliquities, and otherwise seeming contradictions, in the declarations and conduct of the three powers.

The seizures made by Prussia in Poland are, in point of importance, so much superior to those made by either of the other two, that it is not possible to suppose them blind to it, or ignorant that by such a division their relative force is diminished: they cannot therefore be serious in the excuse they make your court and others, that their seizures in Poland are made only to counterbalance those of Prussia. Had this been their design, they should have accelerated the peace with the Porte, and united against him; instead of that they suffer him to go on increasing his usurpations; Austria increases her's, so as to facilitate the march of her troops towards Choczym, and se-

cure

cure them places of retreat; the Russian troops retire, sell their magazines to Austria, whose troops advance to Kami-niec, on the one side, and are reinforced at Semlin on the other: so far from accelerating the peace with the Porte, every new concession is followed by a new demand: the troops of Austria, from their present position, can immediately march by three different routes into Turkey: Russia may then collect, and employ her whole force in securing Azow, and Oczakow, seizing upon Taman and Gernicale, and making herself mistress of the streights of Zabache; whilst her fleet at the Dardanelles cuts off the communication between Constantinople and the provinces of Egypt, &c. The king of Prussia may force Dantzic to surrender, seize upon Swedish Pomerania; and if the designs of Russia succeed in their full extent, obtain perhaps by treaty Livonia; or should she fail in her undertakings, he may turn about, seek other

alliances; and take it by force, seizing as he goes along, Samogitia, Courland, and Semigallia*.

* Since the above letter was written, a book containing some great, and many very whimsical ideas is fallen into the hands of the editor. The book is entitled, "Letters concerning the present State of England." The sixteenth letter treats of the war between the Russians and Turks; in which the author says, he has seen a manuscript plan for improving the vast dominions of Russia, which he was told had been debated and adopted in the council at Petersburg. A part of that plan approaches very near to what is here supposed; and many cogent arguments are alledged to prove not only the possibility, but the practicability of it. This writer apprehends, however, that even the destruction of the Turkish empire in Europe, will not be hurtful to the commercial interests of England. Yet a little reflection would have taught him, that should the European Turkey fall into the hands of an active and industrious people, instead of continuing in the hands of a people, who from their form of government, the prejudices of education, habit, and religion, can never be a trading or manufacturing people, all the advantages of the present commerce will cease; and that the sudden stoppage of any considerable channel of consumption must be very sen-

sibly

This supposition seems farther justified by the answer, which, I am told, and I believe upon credible authority, the court of Petersburg made lately to an application from your court, concerning the guaranty of 1767: "That she was ready to join in securing the rights of Dantzic, so far forth as they were consistent with the pretensions of a third power." An answer, to speak of it in the gentlest terms, at any rate disobliging, but totally unmeaning, unless to make Prussia master of the Baltic be one object of the triple alliance. It is farther justified by a declaration made, as

sensibly felt in England; where daily observation confirms what was lately asserted in an august assembly, that our manufactures are already overstocked.

That the views of Russia extend very far, is farther evident, from a plan of this nature being often and familiarly talked of by those who are most certainly not unacquainted with the designs of that court; and of which the editor of these Letters had not many days since a very striking proof.

I am, and I believe credibly, informed, by Austria: "That she was ready to join in any plan to circumscribe the usurpations of Prussia, provided Russia would do the same." It is farther justified by that air of triumph, with which I am told a Russian minister lately spoke of the little influence your court has at the Porte, and the contempt into which, he says, your ambassador there is fallen. It is farther justified by the pains taken to draw Sweden into a war.

You will perhaps say, that the plan is so vast and comprehensive, that an attempt to carry it into execution must overset them. It may be so; but remember, sir, and all the events of the present war are so many strong proofs of it, that great designs cannot be defined or regulated by the little rules of vulgar calculation.

But what is to overset them, if the very powers most interested in preventing the success of such a plan, and who alone can prevent it, instead of uniting against it, do

all

all in their power to insure it success? That they hitherto have seemed at least to do so appears to me beyond a doubt.

It is, I think, allowed on all hands, that the solicitations of France contributed not a little to engage the Porte to declare war against Russia. In this, she did not so much bring on, as accelerate a war. If the Porte had not declared war that year against Russia, Russia would have declared it the next year against the Porte. But having thus persuaded the Porte to begin the war, has France taken one firm or manly step in her favour. The fear of involving herself in a maritime war with England might be a good reason for not attempting to stop the Russian fleet; but she had two other means of assisting the Porte: of one she appears to have made no use at all, of the other a very pernicious one.

Her alliance with Austria was then strong and intimate; the empress was warmly attached to France; the emperor,

it is true, detested that alliance, but his influence in the government was then but small; a change of system may have increased it. At that time, to all appearances, it would have been easy to have engaged Austria to have assisted the Porte upon terms equally advantageous to both. On this side nothing was done; the moment was lost; the king of Prussia seduced the emperor, and Austria has since contributed to betray the Porte.

On the other side, France might have made a powerful diversion in Poland; but here her politics were little, narrow, and in every light indefensible; instead of reconciling dissensions, she heightened them; instead of endeavouring to bring back the confederates to their allegiance, she widened the breach between the king and them; instead of persuading the Porte to regard the king and nation as one indivisible body, she engaged her to declare war against the king, and unite with the confederates alone.

alone*. By these means, she forwarded the designs of Prussia, contributed to the ruin of Poland, without serving, in any degree, the views of the Porte, or counteracting those of Russia.

Forgive me, if I venture to add, sir, that the conduct of Great Britain has been equally incomprehensible, at least to common understandings, and to those who are not initiated into the mysteries of the cabinet.

It was to Great Britain that men looked up for the preservation of Constantinople, and for the preventing of Russia's obtaining establishments on the Black Sea. Your trade to the Levant is particularly advan-

* I have been told, that the French court denies this; and says, they did all they could to dissuade the vizir from this absurd step; but that he was not to be dissuaded. If this be true, how came France to give a sanction to the vizir's ill conduct, by acting herself precisely in the same manner, with respect to the king and confederates?

tageous;

tagious; no produce of Turkey is bought
 by bullion or bills of exchange, but solely
 by the barter of the products or manufac-
 tures of Great Britain; and though many
 concurring causes had contributed to di-
 minish this trade in some articles, in others
 it had increased; the introduction of
 English shalloons had been a great stroke,
 and had diminished the importation of
 French cloth, at Constantinople alone, by
 2,000 bales, value 180,000 l. sterling a-
 year. This was a great addition to your
 national industry, and a greater detriment
 to France. It was therefore natural to
 suppose, that Great Britain would prevent
 Russia from having establishments on the
 Black Sea, which would leave Constanti-
 nople at her mercy, destroy at once so con-
 siderable a branch of your commerce, and
 bring another preponderant power into
 Europe. This appeared more probable,
 as men remembered, that, in the war of
 1737, all the commercial powers regarded

it as a matter of general concern, that the mediation should be thrown into the hands of England.

To men who reasoned thus, it was an unexpected phenomenon to see the fleets of Russia refitted in England; men, officers, and ammunition supplied; her troops transported in vessels protected by British passports; in a word, Russia assisted in so open a manner as Great Britain would in a parallel case have construed into a breach of neutrality in any other power.

The then defenceless state of the Dardanelles made men tremble for the fate of Constantinople. But here the success of Russia was not so great as was expected, though very great for so young a maritime power; the Turkish fleet was destroyed; the landing on the Morea effected, though without success; and a little island has, I believe, since been taken. Men began then to conjecture, that the assistance given to Russia was conditional; and that
her

her fleets were forbidden to attempt the passage of the Dardanelles; that Great Britain would offer her mediation for a peace, and as an acknowledgement for her good offices, obtain either a total exclusion of the French cloth trade or considerable advantages for her own; which appeared the more obtainable as the Porte loudly accused France of having betrayed her.

These men then looked back again to the war of 1737, and remembering that a ridiculous quarrel between Fawkenor and Calcoen, English and Dutch ambassadors, had thrown the mediation into the hands of France, they expressed their fears that your present ambassador would be found unequal to the task of mediator. I do not mean, sir, to repeat private scandal; I tell you what is so public, that I have heard it in different parts of Europe, and so true, that it was very lately confirmed to me by a letter from a member of your Levant company: the whole attention
of

of your present ambassador is taken up in supporting acts of violence, and personal quarrels with the factory, his secretaries, and interpreters. In other countries these quarrels might be confined within the limits of his own walls, but there they are unavoidably divulged at the Porte, and as unavoidably destroy all personal esteem; and in Turkey personal esteem is of great weight. Little therefore could be hoped from a mediation under such a minister.

The hopes of the efficacy of such a mediation were quite over, when it was learned, and it has been confidently said, and I believe on very good authority, that the mediation of Great Britain had been demanded very early in the war by the Porte, and seemingly accepted, but afterwards, at the instigation of the court of Berlin, not very handsomely rejected by Russia.

This seemed the more extraordinary, as besides the general and constant interest of a commerce, the balance of which is greatly in favour of Russia, and against

Great

Great Britain, Russia had during this war received great obligations from the latter: nor can any possible reason occur to me, why she should reject the mediation of your court, or why Prussia should incite her to do it, unless indeed their designs be such as I suppose. And hitherto no one vigorous step seems to have been taken to defeat those designs.

I again therefore ask you, what is to overfet them? Their plan seems too well concerted, and too far advanced to be overfet by private, partial negotiations; or perhaps by any negotiations at all.

Suppose, however, the three allies have not yet carried their views so far; suppose a separate peace to be made with Turkey; suppose a peace patched up in Poland, how long will it last? The same reasons which the house of Austria alledges for concurring with Prussia in his present robberies and depredations, will hold good in twenty other cases; and he has a fertile source of claims behind: by the same right he
claims

claims possessions which never belonged to one antecessor, he may claim those renounced by another; and the possessions of the Teutonic order were extensive: he has certainly as good a right to Swedish Pomerania, and Dutch Gueldria, as to Silesia, or Polish Prussia. In his Memoirs he pretends to Troppau, Jagendorff, and all the possessions of the house of Lichtenstein; he has pretensions on the house of Deux Ponts. Suppose he should chuse to seize on the Palatinate, Austria, in pursuance of its present maxims, must not oppose him, but, to keep the balance even, seize upon Bavaria. And so all the states of Germany may be swallowed up one after another.

The balance of power has sometimes armed Europe when it was really in no danger; but now the northern powers seem leagued against the southern, no one seems alarmed.

You in England are very apt to say, "We are an island, and what have we
" to

“to do with the affairs of the continent?” True, sir, if you have enough of primitive simplicity, and self-denial to give up your wealth, the conveniences and luxuries of life, and live contented on the produce of your own farms, then you have nothing to do with them; but if you cannot do this, then you must maintain your commerce to which you owe the value of your lands, your wealth, and your importance in Europe; and therefore whenever the transactions on the continent affect your commerce so materially, as the present designs do, you are as much concerned in them, as the powers on the continent themselves.

Besides, in the present moment, should fair proposals be refused, so great are the efforts to be made, and so extensive the operations, that your naval force alone will be exerted: the efforts by land might, and would be made by France. For however uncouth it may sound, your uniting with France alone will probably

bably stem the torrent. And however unnatural that alliance may seem, it is not more so than the northern alliance, nor than your late alliance with Prussia.

The idea, true in general, but surely subject to restrictions, that the interests of England and France are incompatible, militates strongly against such an union: that union may however, on some occasions, be necessary: it was necessary, when the insatiable ambition, and formidable power of Charles V. Philip II. and Ferdinand II. engaged the attention and solicitude of all Europe; yet neither of these princes seem to have had the bold adventurous ambition, which distinguishes her Russian majesty; or the deep spirit of intrigue, which characterizes the king of Prussia. If under these circumstances, an union with France was thought not only allowable, but necessary, why not allowable, why not necessary now, when the same circumstances recur?

I remember a passage of your lord
 Bolingbroke, with which I shall close
 this long letter, leaving you to apply it:
 "The precise point, says he, at which
 "the scales of power turn, like that of
 "the solstice in either tropic, is imper-
 "ceptible to common observation; and
 "in one case, as in the other, some pro-
 "gress must be made in the new direc-
 "tion, before the change is perceived.—
 "They who are most concerned to watch
 "the variations of this balance, mis-
 "judge often:—they continue to dread
 "a power no longer able to hurt them;
 "or they continue to have no appre-
 "hensions of a power, that daily grows
 "more formidable.—These apprehensions
 "cannot be taken, or given too soon,
 "when such powers as these arise; be-
 "cause when such powers as these are
 "besieged, as it were, early, by the com-
 "mon policy and watchfulness of their
 "neighbours, each of them may in his
 turn

“turn of strength fall forth, and gain
 “a little ground, but none of them will
 “be able to push their conquests far;
 “and much less to consummate the en-
 “tire projects of their ambition”.

I am, &c.

REPORT STATE OF IOWA. 307

...through fully forth, and gain
...but none of them will
...able to put their compasses
...and much less to contemplate the en-
...the progress of their ambition.

A P P E N D I X

CONTAINING

Several Papers related to the fore-
Young Papers

A P P E N D I X,

CONTAINING

Several P A P E R S referred to in the fore-
going L E T T E R S.

APPENDIX,

CONTAINING

Several Papers related to the late
A. P. King, Esq.

Manuscript deposited at the Court of War-
law, on the 11th of June the Court of
Petersburg, Co. Va.

THE power which borders on Po-
tential have to often been involved
in the people which almost
every vacancy of the throne has excited,
that the remembrance of what had here-
before happened, made it necessary for
them to give the most serious attention to
the affairs of that kingdom, as soon as
by

A P P E N D I X,

CONTAINING

Several PAPERS referred to in the foregoing LETTERS.

A.

Manifesto delivered at the Court of Warsaw, by the Ministers from the Courts of Petersburg, &c. &c.

THE powers which border on Poland have so often been involved in the troubles, which almost every vacancy of the throne has excited, that the remembrance of what had heretofore happened, made it necessary for them to give the most serious attention to the affairs of that kingdom, as soon as,

by the death of the late king, Augustus III. the throne was become vacant.

Urged by these considerations, and desirous of preventing the dreadful effects of those dissensions, which, as in former instances, might have arisen at this last vacancy of the throne, the court of Petersburgh hastened to take all possible measures to unite the citizens of Poland in favour of the candidate, who should appear most worthy of the throne, most agreeable to his fellow-citizens, and neighbouring powers.

This court applied herself at the same time, and with equal zeal to rectifying many abuses and defects in the constitution, which had been equally prejudicial to Poland, and her neighbours.

The court of Berlin seconded the attempts of her ally.

And the court of Vienna, desirous of contributing to the success of so laudable views; but willing to avoid the danger of augmenting the difficulties and intricacies,

cacies, which might arise from multiplying the number of those, who undertook openly, and directly to settle the affairs of Poland, thought proper to observe the most exact neutrality, with regard both to the arrangement of the affairs of Poland; and the war afterwards kindled on this subject, between Russia and the Porte.

The immediate consequences of these measures were the free and legal election of Stanislaus, reigning king of Poland, and the forming of many useful and salutary establishments. In a word, every thing seemed to promise to Poland and her neighbours a firm and lasting tranquillity.

But unhappily, in the midst of these promising appearances, the spirit of discord seized upon one part of the nation: citizen armed against citizen; the sons of faction seized the reins of authority; and laws, and order, and public safety, and justice, and police, and commerce, and agriculture,—all are either gone to ruin, or stand on the brink of destruction. And

excesses of every kind, natural consequences of such an anarchy, will bring on the total dissolution of the state, if not timely prevented.

The connections between nations, which border on each other, are so intimate, that the neighbouring powers have already felt the most disagreeable effects from these disorders. They are put to heavy expences, and obliged to use constant and watchful precaution, in order to secure the tranquillity of their own frontiers: they are exposed to the uncertain, but possible consequences of the entire dissolution of Poland; the danger of seeing their mutual harmony and good friendship destroyed; the maintenance of which, at the same time that it secures their own peace and tranquillity, is a matter of the highest importance to all Europe.

From this view of things it will appear, that nothing can be of a more urgent necessity, than to apply an immediate remedy to evils, from which the neighbouring

bouring nations have already experienced the most disagreeable effects; and the consequences of which, if not timely prevented, must bring on such changes in the political system of this part of Europe, as may be fatal to the general tranquillity.

Her majesty the empress of all the Russias, her majesty the empress-dowager, queen of Hungary and Bohemia, and his majesty the king of Prussia, finding themselves compelled by so many and important reasons to take a decisive part in this very critical conjuncture, therefore have determined, without loss of time, and with one accord, to take the most effectual and best combined measures, for re-establishing tranquillity and good order in Poland; stopping the present troubles, and putting the ancient constitution of that kingdom, and the liberties of the people, on a sure and solid foundation.

But whilst they take advantage of that mutual friendship, and good harmony, which happily subsists between them at present,

present, in order to prevent the absolute ruin, and arbitrary dissolution of Poland; they cannot but be sensible how little it is in their power to promise themselves in future periods the same happy concurrence. And as they have respectively very considerable claims on the possessions of the Republic, which they cannot permit themselves to expose to the hazard of possible contingencies; they have therefore determined among themselves to assert these their ancient rights, and lawful claims, which each of them will be ready to justify in time and place by authentic records, and solid reasons; but for which the situation of the Republic will never leave them hopes of obtaining justice in the ordinary course of proceeding.

In consequence hereof, her majesty the empress of all the Russias, her majesty the empress dowager queen of Hungary and Bohemia, and his majesty the king of Prussia; having communicated reciprocally their respective rights and claims;
and

and being mutually convinced of the justice thereof; are determined to secure to themselves a proportionable equivalent, by taking immediate and effectual possession of such parts of the territories of the republic, as may serve to fix more natural, and sure bounds between her and the three powers. The said three powers engaging to give hereafter an exact specification of their respective quotas: and renouncing from the present moment all revival of right, demand, or claim, on account of damages sustained, debt, interest, or any other pretence whatever, which they might otherwise have, or form on the possessions, or subjects of the Republic.

Their said majesties have thought it right to notify these their intentions to the whole Polish nation in general; inviting, at the same time, all orders and ranks thereof to banish, or at least suspend, all spirit of discord and delusion; so that, a diet being legally assembled,

they may co-operate with their said majesties, in establishing, on a firm, and solid foundation, the good order, and tranquillity of the nation; and at the same time ratify, by public and solemn acts, the exchange of the titles, pretensions, and claims of each of their said majesties, against the equivalents, of which they have respectively taken possession.

Given at Warsaw, &c. &c.

NOTE.

This Manifesto was delivered on the 18th of September, by the baron de Stackleberg, minister from the court of Peterburgh; and by the sieur de Benoit, minister from the court of Berlin; and on the 26th of September, by the baron Rzewicki, minister from the court of Vienna.

B.

*Specification of the Equivalent taken by the
Empress Queen of Hungary and Bo-
hemia.*

MARIA THERESA, &c. &c. &c.

HAVING maturely considered the present state of Poland, and determined, in concert with the empress of Russia and the king of Prussia, that we, and our said allies, shall respectively reassume certain provinces and districts of the said kingdom of Poland, to us of old belonging, and put ourselves in actual and immediate possession of the same: in consequence hereof we have commanded our troops to occupy, as a portion equivalent to our rights, all that tract of land, which is contained within the bounds hereunder marked: that is to say, all that lies on the right side of the Vistula, from the duchy of Silesia above Sandomir, to the mouth of the river San: and from
thence

thence going along Tarnopol (Fronopol) to Zamoisc and Rubieszow, up to the river Bog: and so crossing the Bog, and going along the proper frontiers of Red Russia, to where the frontiers of Volhynia and Podolia do meet at Zabraz; and from thence in a strait line to the river Niefter, taking in that small part of Podolia which is cut by the course of the little river Podhorze (Seret) to its influx into the Niefter: and so on to the bounds which separate Pocutia from Moldavia.

Since therefore we are now going to take possession of the above-named tract of land, we have named the count de Pergen, &c. our commissary, to administer the said provinces in our name, and to carry into execution all such rules and orders, as he shall think right and fit, for the good government of the same.

And we do hereby command all the inhabitants, of whatever rank and condition, within the said provinces, to acknowledge

knowledge, and obey the said count de Pergen as our commissary, plenipotentiary, and governor: and upon all occasions, to pay a chearful and ready obedience to every thing, which shall be ordained by the said count de Pergen in our name.

And, though we have not as yet fixed the day for the solemnity of taking the oath of allegiance to us, yet we shall very soon fix and determine it. And, in the mean time, all the inhabitants of the said provinces are hereby required to demean themselves as quiet and obedient subjects, in the same manner as if the said oath of allegiance had been taken: we, on our part, promising to all, who shall so demean themselves, our imperial and royal favour and protection. But should any one, which we do not allow ourselves to suspect, be disobedient to this our royal will and pleasure, know ye, that we shall, though reluctantly, yet through necessity, lay aside our in-

Y

nate

nate clemency, and proceed against all such with the utmost severity.

In witness whereof, &c. &c.

Given at Vienna, Sept. 11th, 1772,
and in the thirty-second year of our
reign.

Signed, &c.

N O T E.

It appears probable that the empress did not at once fix the day for administering the oath of allegiance, because she was not yet determined how far she should push her usurpations.

What is called Tarnopol here, in the map drawn by captain Folino is named Fronopol.

The little river Podhorze, mentioned here, is not to be found on any map, at least near the place supposed; it seems probable she meant to name the little river Seret. It is however of little consequence; her majesty, not content with the portion at first occupied, having extended

tended her usurpations very considerably; on the one side she has past the Seret, and gone along the Zbrycz, to within a few miles of Kaminiec; on the other she has past the Vistula, and taken in the rest of the palatinate of Sandomir.

The Prussian eagles flie with equal swiftness.

C

*Specification of the equivalent taken by the
emprefs of Russia.*

We ZACHARIAS, count de Czernicheff,
&c. &c.

HER imperial majesty, our sovereign, having determined, by way of indemnification and exchange for divers ancient rights, and just and indisputable pretensions on the republic of Poland, to incorporate for ever to her empire the provinces and people hereunder named; that

is to say, all that lies on the right side of the river Dzwina, or Duna, containing the Polish Livonia, that part of the palatinate of Poloczko, situated on the right of the said river, as well as the palatinate of Witepsk, so that the Dzwina shall from henceforth form the natural frontiers between the two states of Russia and Poland; which frontiers shall extend from thence to the extremity of the frontiers of the palatinates of Witepsk and Poloczko; and from thence to the extremity of the frontier common to the three palatinates of Witepsk, Poloczko, and Minsk; and from thence in a straight line to the source of the Druetz, near the village Ordva (or Orowa): and so coasting the Druetz to its discharge into the Nieper; and from thence to the extremity of the ancient frontiers between Russia and Poland, following the course of the Nieper in its descent; so that all Polish Livonia, that part of the palatinate of Poloczko situated on the right of the Dzwina,

na,

na, all the palatinate of Witepsk, on the two banks of the said river; all the palatinate of Mscillaw; the upper part of Minsk which lies along the new line drawn from the point where the frontiers of the three palatinates of Poloczko, Witepsk, and Minsk do meet, to the source of the Druetz; and also that lower part of the palatinate of Minsk which extends itself on the other side of the Druetz and the Nieper; all these districts, together with the inhabitants and land-holders thereof, of whatever rank or condition, shall for the future and for ever be subject to the imperial crown of Russia.

For these causes, in quality of her said imperial majesty's lieutenant-governor-general, we are commanded, before all things, solemnly to declare in her sacred name (as we do declare by these presents, for general instruction and notification) to all her new subjects, actually our most dear fellow-citizens, not only that her said majesty will preserve to all and every

of them the free and public exercise of their religion, as well as all their goods and possessions; but also, that looking upon them from this moment as her dear children, she renders them all in general, and without exception, equal sharers in all the rights, liberties, and prerogatives which her ancient subjects do enjoy. On the part of her new subjects thus incorporated, her majesty expects the return of gratitude; and, seeing they are treated as graciously as her ancient subjects, she expects they will emulate them in doing all in their power to render themselves worthy of this treatment, by a sincere love of their country, and an inviolable attachment to so magnanimous a sovereign.

In consequence hereof, all the inhabitants in general, all from the highest down to the lowest of the nobility, clergy, and persons in place, are to take, during the course of this month, a solemn oath of allegiance and fidelity to her said imperial

perial majesty, before such person as we shall appoint. But if any of the nobility or land-holders should not chuse to conform thereto, they are allowed three months from the date hereof to sell their lands and retire freely; after which time all their lands or goods remaining unfold, shall be confiscated, &c. &c.

Given at Petersburgh the 5th (16th) of September, 1772.

N O T E.

The declaration contains farther an order to pray for the empress and grand duke in all the churches; extends the free exercise of religion to the Jews; and assures that the troops shall observe the strictest discipline. The reader will observe the same affectation of humanity, magnanimity, &c. which characterise all the state-papers of Petersburgh. The ridicule of allowing three months for selling the lands has been remarked

in the Letter: let us just add, that to a Polish gentleman, bred up with a spirit of liberty and independence, the privileges of a Russian subject must needs be an inviting and tempting present.

This disinterested princess, if we are well informed, is imitating her just and magnanimous allies; she has found out that the district lying between the Nieper and the Berezyna is very convenient to her; and therefore, you know, of right belongs to her; and therefore too will serve to “fix more sure and natural bounds between her and Poland.”—In God’s name where are these discoveries to end!

D.

*Extracts from a treaty intitled “Induciæ
ad xlii. annos inter Joannem Casimi-
rum regem Poloniae, & Alexium Michay-
lowitz czarum & magnum ducem Russiae.
Actum Deneznæ Andrusovia, 30 Ja-
nuarii,*

uarii, 1667." *Which treaty has been resumed at the basis of all the succeeding treaties between Russia and Poland.*

ARTICLE. III.

QUÆ porro arces, terræ hoc proximo bello a regno Poloniæ, & magno ducatu Lithuanix sunt avulsæ & remanent in possessione, & sub jurisdictione czaræ majestatis, hoc est Smolenscum, cum universo Severiensi ducatu, cum arcibus & particularibus locorum attinentiis, quæ sunt ex hac parte à Vitepcensibus, Polocensibus, ex parte vero Livoniæ à Lucinenfi localibus attinentiis, Smolenscum usque, uti Dohorobuzium, Biala, Nevelium, Sebezia, Krasno, etiam Wielizca (quamvis antiquitus ad palatinum Vitepcensem pertinuerit) cum suis item particularibus locis ac attinentiis: ex alia vero parte, in qua sunt arces Severienses, circa Czernichovium omnes arces & terræ, quibuscunque nominibus nuncupatæ omnes relinquere debent in forte
czaræ

czaræ majestatis. Ad fortem vero S. R. majestatis à Borysthene sub Kiovia, & per omnem regionem ad limetes Putiulenses, nulla arx nec civitas, nec latifundium pertinebet; non prætergrediendo tamen limites palatinatum Vitepcensis, Polocensis, & Mscislaviensis. Similiter districtuum Orsenfis, Mozyrenfis, Rzeczycensis, Braclaviensis, uti et limites Livoniæ, cum eâ, quâ ab antiquo continebantur, circumferentiâ, cum omnibus particularibus attinentiis, pagis, fundis ab utrâque ripâ Borysthenis, & Dunæ et aliorum sitis, ad palatinatus & districtus in possessione S. regis majestatis remanentes pertinebunt; exceptâ Witizcâ, quæ pacis sanctæ causâ, a palatinatu Vitepcensi avulsa, in forte czaræ majestatis præsentis tractatu ad annos induciarum collocata est. In superiori verò parte Borysthenis quæ comprehenditur titulo Zaporohorum, seu liminum Borysthenis, & ejus loci Cosaci, in quibuscunque eo loco præfidiis, munitionibus,

sepi-

sepimentis, & sedibus degant, pertinere debent ad obedientiam & protectionem utriusque magni principis nostri, ad commune illorum obsequium contra imminentem (quam Deus avertat) Brisurmanicam Potentiam.

ARTICLE VI.

Ex occupatis vero bello arcibus & terris restituendæ sunt in sortem sacræ regię majestatis, arces & civitates Polocia, Vitepscum, Duneburgum, Lucinum, Rzeczyca, Margenhausum, cum tota Livonia meridionali, cum omnibus omnium arcium prænominatarum attinentiis, antiquis ad easdem spectantibus; cum aliis locis & attinentiis Usviatâ, Suraziâ, Jezierciâ —

ARTICLE VII.

Ipsa Kioviæ arx, cum iisdem monasteriis, Piezarii dictis, & cum aliis penes Kioviam relictis adjacentiis, similiter cum omni veteri armatura, cum quâ olim Kiovia in partem czarę majestatis accepta,
cum

cum provisione tum temporis ibidem inventa, in fortem S. R. majestatis et reipublicæ restitui, et evacuati, mundarique debet, ante primam de perpetua pace commissionem; hoc est post duos annos a præsentis tractatu computandos.—Et pro hoc restituendo et cedendo Kioviam czarea majestas nullam compensationem à S. R. majestate & a rep. requirat.

E,

Counter-Declaration of the Court of Warsaw.

THE underwritten, ministers of the king and republic of Poland, having laid before his majesty the Declarations given on the 26th and 18th of September, by the ministers from the courts of Vienna, Peterburgh, and Berlin; and his majesty having taken the advice of his senate thereupon, the underwritten are commanded to make the following answer thereto.—

The

The disinterested and successful pains of her majesty, the empress of all the Russias, to preserve tranquility in Poland during the last interregnum, and promote the free election of the reigning king, universally recognized; the concurrence of the king of Prussia in the same designs; and the system of neutrality at that time adopted by the empress queen, are circumstances, which appreciated as they ought by the king, will never be effaced from his memory or heart.

The king is happy in seeing the regulations and internal establishments of the diets, immediately succeeding the death of Augustus III, declared "useful" and "salutary" by the three powers; he would ever wish the emanations of the sovereign power of the republic to be regarded with a favourable eye by all his neighbours.

All Europe is long since informed of the original and successive causes of the
pre-

present troubles in Poland: all Europe knows, that the king, and the soundest part of the nation, exerted their utmost efforts to prevent the rise, and stop the progress of them; unfortunately these efforts have been unsuccessful; and certainly the consequences have been dreadful. The supreme and legal authority of the state has been denied by some: anarchy has spread itself over the provinces: all Poland has been impoverished, ravaged, trodden under foot, as well by her own citizens, as by foreign troops; she has felt, and all Europe has seen, those sufferings proportioned to the length of time these troops have been in the country, the orders of their respective courts, and the manner in which these orders have been put in execution.

In a word, five years of scourge and desolation have ruined this country, and make the return of peace a matter of urgent and indispensable necessity.

The engagements entered into by the three powers, to co-operate in effectuating
this

this great work, appeared therefore full of humanity, and would have been regarded by the king with the liveliest gratitude, if the latter part of their Declaration had left room for any sentiment, but those of the utmost surprize, and the most profound grief.

These courts pretend considerable claims on the unhappy Poland: a plan of indemnification, the actual and effectual seizure of equivalents are avowed.

The strict attention of the king and republic to fulfil all their engagements with these powers; the laws of good neighbourhood, so religiously observed by Poland, the manner so friendly and full of regard, in which the king has represented, on so many occasions, the different subjects of complaint he has unfortunately had against his neighbours; the present situation of Poland, so worthy in all respects of the compassion of generous and sensible minds;—all should have secured to him the return of mutual

tual good-will, and protected him for ever from enterprizes, so injurious to his rights, and the legality of his possessions.

The rights of the republic to all her provinces, have every possible mark of solidity and authenticity. An uninterrupted possession of many ages, avowed and maintained by the most solemn treaties, and particularly by those of Velaw and Oliva, guarrantied by the house of Austria, by the crowns of France, England, Spain, and Sweden;—by the treaty of 1686, with Russia;—by the express and recent declarations of this last power;—by those of Prussia in 1764; and, lastly, by treaties with the house of Austria, still in full force and vigour:—on these foundations the rights of the republic are grounded.

The court of Warsaw contents itself with barely pointing them out at present, reserving the right of supporting them by proofs more ample and particular in time and place.

What

What titles can the three powers oppose to these? If they are titles dug out of the obscurity of ancient times, of those times of sudden and momentary revolutions, which erected and destroyed, ceded and restored states in the short space of a few months or years; these titles, if admitted, would re-unite to the kingdom of Poland many provinces, which formerly belonged to it, but have for many years been occupied by the very powers who now form pretensions on her.

But as it is undeniable, that not only transactions buried in the oblivion of distant ages, but all transactions whatever, are annihilated by subsequent stipulations; as all the later stipulations between Poland and her neighbours oppose directly the partition they now would make, it follows, that the titles, on which that partition is founded, cannot be admitted, without undermining the rights of every

Z

state,

state, without shaking every throne from its foundation.

The very powers, who declare, that the situation of Poland will not permit them to obtain justice in the ordinary ways of proceedings, cannot be ignorant, that its present situation is accidental and momentary; that it is in their own power to change it. Their consent alone is wanting to restore the republic to the free and lawful exercise of its independent sovereignty. That would be the time to produce and examine their claims. This is the method of proceeding, which the king had a right to demand from the equity of the three courts; which he could not but expect to be adopted, relying on the letter written to him by the empress queen of Hungary and Bohemia, on the 28th of January 1771.

But the present proceedings of the three courts, giving the most serious subject of complaint to the king; and the duties of
his

his crown not permitting him to be silent on this occasion, he declares in the most solemn manner, that he looks upon the actual seizure of the provinces of Poland by the courts of Vienna, Petersburgh, and Berlin, as unjust, violent, and contrary to his lawful rights: he appeals to the treaties, and powers guarantees of his kingdom and its appurtenances. And lastly, full of confidence in the justice of the Almighty, he lays his rights at the feet of the eternal throne; and puts his cause into the hands of the King of Kings, the supreme Judge of nations: and in the full assurance of his succour, he protests solemnly, and before the whole universe, against every step taken, or to be taken, towards the dismembering of Poland.

Given at Warsaw, Oct. 17th, 1772.

Signed by the great chancellors of
Poland and Lithuania.

F.

*Declaration of the Imperial minister at the
court of Warsaw.*

HER majesty, the empress queen of Hungary and Bohemia, has seen, with unspeakable astonishment, the little impression made by the declaration presented to his Polish majesty by the underwritten, and the ministers from Peterburgh and Berlin, in order to accelerate a definite arrangement between the republic and the three-neighbouring powers, touching the pretensions formed by the said powers on Poland; pretensions, which the essential interests of their crowns will not permit them to expose to the hazard of future contingencies, and of those troubles, with which Poland has at all times been agitated.

The justice and dignity of the three courts prescribe certain bounds to their moderation: this truth can neither escape
the

the discernment of his Polish majesty, nor be indifferent to his heart, if the cries of his country have preserved their influence there.

Her majesty, the empress queen of Hungary and Bohemia, hopes therefore, that the king will not expose his kingdom to events, which must be the consequences of his delay to assemble a diet, and enter on a negotiation, which alone can save his country, restore vigour to the constitution of the republic, which has received so many, and so dangerous shocks; and terminate the evils, to which private interest, ambition, hatred, and dissensions have given rise.

Done at Warsaw, Dec. 4th, 1772.

Signed,

RZEWICKI.

N O T E.

The minister from Petersburg and Berlin delivered the next day each a declaration in the same words.

Z 3

There

There is an insolence in this piece, which is without example.—Whose private interest, whose ambition but their's have ruined Poland? They talk of bounds to their moderation. In the mean time, they seem thoroughly persuaded, that there are no bounds to the patience of the Polish nation; or the indifference and inattention of the other courts of Europe. They may however be mistaken.

G.

Answer of the court of Warsaw to the preceding piece.

IN answer to the Declarations of the courts of Vienna, Petersburgh, and Berlin, the underwritten have orders to inform the ministers of the said courts, that the king being informed of their desires, respecting the convocation of a diet, and of the inconveniencies which may arise from delays, is determined to comply, as far

far as it is in his power; wishing not only to take away all pretext of aggravating the evils, which afflict Poland, but hoping that this mark of regard will operate on the generosity of the three powers, and induce them to put a speedy end to these troubles, in a manner the most equitable and advantageous to the republic.

In consequence hereof, his majesty has issued circular letters for the convocation of a full council of the senate, which must indispensably precede the summoning of a diet; and has fixed the same to the 8th of February following; a term, which leaves no more than the time absolutely necessary for the arrival of the distant senators.

Done at Warsaw, this 14th of December, 1772.

Signed by the Chancellors of
Poland and Lithuania.

NOTE.

The world, ever ready to condemn the unfortunate, have blamed the king for having in some degree yielded, by this Declaration, to the imperious will of the usurping powers. But let it be observed, that the different powers, guarantees of the liberties of Poland, have not afforded any part of that succour they are engaged to by repeated treaties : that, struck with their supineness and inattention, the nation seems to sink under the weight of its misfortunes : without resources from abroad, without activity and unanimity at home,—what is the king to do?—Let any one power offer him effectual succour ; nay, let only five hundred of his subjects declare, that, if he will put himself at their head, they will perish with him, rather than submit to the oppressions of his neighbours ; and if he then refuse, let him be given up as unworthy of the crown. But till then, it is
from hard,

hard, that those very courts, who have not fulfilled their engagements, should endeavour to justify their own supineness, by throwing the blame on him. Add, that, in accelerating the convocation of the senate, he has really granted nothing; the senate has not the power of concluding a treaty, that can be done by the diet alone. He has still then left time to his allies to come to his assistance; he has still left it in the power of his people to chuse the party they have to take; either to make the best bargain they can, or perish gloriously in defence of their rights.

H.

*Letters for the Convocation of the Great
Council of the Senate.*

STANISLAUS AUGUSTUS, &c. &c. &c.

BORN with the love of public good,
and having devoted ourselves with the
most

most disinterested application to promote the happiness of a people, whose free and unanimous choice intrusted the sceptre to our hands, we had flattered ourselves with the pleasing hope of reigning happy over a cherished people.

Persuaded that nothing could contribute more effectually to their well-being, than the uninterrupted attention of a council, which united the maturity of advice to legal authority; and finding both these advantages in the senate of the republic; we determined, after the example of the most illustrious of our predecessors, born, as we, in the bosom of our country, to hold every week a council of the senate.

During the greatest part of the two first years of our reign, this rule carried into practice, served at once as a proof of our attention to the public good, and a mean of promoting it. But soon afterwards envy, and interest, enemies of the happiness of the republic, sowed the seeds of discord: and they shot up with
so

so much vigour, that it became impossible for us to continue this frequent communication of our views and labours with the senate.

A detail of the degrees, by which the misfortunes of the state have arrived at that dreadful crisis, which engages our present attention, would be superfluous. Suffice it to inform you, that, in consequence of the uniform declarations made to us by the three neighbouring powers, and notifying the occupation of several provinces of the republic, which they pretend respectively to appropriate, we did, on the 6th of October, assemble a council of such senators, as were then resident in our capital; and, by their advice, we did solemnly protest against all the steps taken, or to be taken, contrary to the rights and interests of the republic.

And as the senators then present did require of us, that all the members, composing the whole body of the senate, should

should be summoned to consider and decide what farther is to be done for the safety of our country; we willingly complying with an advice so conformable to our present situation, do hereby fix the first day of March next for holding the great council of the senate; requiring, that as soon as these our circular letters are received, you do forthwith repair to our capital, and present yourself before our person.

You will come to provide for the interests of the state, under the auspices of a king, whom it has pleased the Almighty to re-establish on the throne, to which he had raised him, by saving his life miraculously, when there appeared no human means of preservation.

You will see with your own eyes, that no pains have been spared, no means neglected by us, for preventing the misfortunes, under the weight of which the nation has so long groaned; and especially since the voice of calumny has
dared

dared to attribute its own designs to him, whose rank alone excited the fury of jealousy; since by a monstrous chain of errors an interregnum has been proclaimed, and regicide commanded.

Every honest heart shuddered, every virtuous citizen wept, to see the honour of the nation sullied and stained with the innocent blood of its own king.

Would to God, that in the bitterness of our grief, we had yet this comfort, that no senator, by entering into unlawful conspiracies against our dignity and person, had voluntarily excluded himself from our presence and councils.

But our design is to cure, not exacerate the wounds of the state. We declare therefore, that every senator, participating in the councils of the pretended confederation, who will forsake the same, in a formal and authentic manner, properly notified to us, and will give clear and positive proofs of his fidelity, and attachment to us, may rest assured

ured not only that we forgive him his offence, but also, that he shall enjoy full and perfect security in his country, and especially at the council.

Let those then, whom the unfortunate effects of past errors have driven from their country, and their sovereign, return at the voice of their king, and their father, who will not see an offender; where repentance is acknowledged; who stretches out his arms to every one, who comes convinced that domestic dissensions have been the cause of all our misfortunes; and that the only possible means of saving our religion, our country, and our liberty, is to unite with a king, to whom these objects have been ever sacred.

These have been our constant views; this is the end for which you are summoned to meet us at the grand council of the senate; by assisting at which you will fulfil the duties of your station, and merit our royal favour.

And

And so we pray God to take you into his most holy keeping.

Given at Warsaw, this 12th of December, 1772.

N O T E.

A postscript is added to these letters, signifying that, at the requisition of the three courts, the king had advanced the meeting of the senate to the eighth of February.

This manly appeal to the rectitude of his own conduct and the purity of his views,—this plain though paternal declaration, that the nation itself was in a great measure responsible for the misfortunes, under which it labours, has been the constant language of the king. In the diet summoned by the confederation of Radom, when every artifice had been employed to exasperate the nation against him, I heard him make the same appeal, in still stronger terms; not a man rose to refute it: — conviction alone could tie their

their tongues :—for a king's speech in Poland is not always echoed back with applause to the throne ; he is as subject to contradiction as another member.—Abroad, indeed, men who know nothing of the temper and genius of his people ; of the shackles by which the exertion of his power is impeded ; who have not been near enough to examine the different steps, by which things have insensibly been brought to the present crisis, are liberal in their censures.—It must however be allowed, that there was a moment when he ought perhaps to have acted otherwise. To a mind like his, the task was not easy ; to have saved his nation, he must have been content to have seemed to invade its rights ; and to join what was thought no friendly power. Too delicate a sense of honour, the timidity of virtue, over-ruled him. Few princes have so respectable an excuse to plead. But had he been able to brave public opinion, his present censurers would not have been less severe.—What
has

has not been said against the king of Sweden?—Yet appearances are not half so strong against him, as they must have been against the king of Poland, had he seized perhaps the only occasion that was offered him, of saving his country from their present troubles.

I.

Letters Patent of the King of Prussia.

FREDERICK by the Grace of God, &c.
&c. &c.

TO all the estates, bishops, abbots, prelates, palatines, castellans, starosts, &c.&c. and in general to all the inhabitants, whether ecclesiastical or secular, of the territories of Prussia and Pomerania, hitherto possessed by the kings of Poland; and of the districts on this side the Notec, hitherto appropriated to Great Poland; health and assurance of our royal good will.

A a

It

It is notorious to all, who are conversant in history, and we have given to all Europe incontestible proofs thereof, in a certain declaration or deduction now in the press, confirmed by authentic records, and the strongest arguments drawn from history and law, that the kings of Poland did many ages since violently disseise the dukes of Pomerania of that part of the duchy of Pomerania, which being stretched along the left bank of the river Vistula, and bordering on the Notec, is vulgarly called Pomerellia: and that the said kings of Poland have with equal injustice usurped and detained from the dukes of Pomerania, and their successors, the electors of Brandenburg, not only the said Pomerellia, but also a large district of the New March, lying on this side of the river Notec.

For the male branch of the dukes of Pomerania of the race of Dantzic being extinguished in the year 1295, the dukes of Pomerania of the race of Stettin, being

ing their nearest agnats and heirs springing from the same stock, ought by right to have succeeded them in these possessions; but they were then deprived of these their rights by the preponderant power of the knights of the Teutonic order; and afterwards prevented from recovering them by the kings of Poland. Yet the dukes of Pomerania did never make any renunciation of their rights to this their ancient patrimony; but at the extinction of the ancient house of the dukes of Pomerania, in the year 1637, did transmit the same entire to their heirs and universal successors, the electors of the house of Brandenburg.

As the district of Great Poland situated between the Draga and the Notec, it did from the earliest times belong to the New March of Brandenburg; and the margraves of Brandenburg were in peaceable possession thereof, till the beginning of the fifteenth century: but in the year 1402 the elector Sigismund, having

mortgaged the New March to the knights of the Teutonic order, and the kings of Poland being at war with that order, did take occasion to seize upon this tract of land; and have ever since kept possession thereof: tho' neither the Teutonic order, nor the electors of Brandenburg, nor the empire of Germany, did ever by any treaty cede the same.

The rights of Poland to these provinces, having been thus in its origin unjust and vicious, cannot, according to the unanimous opinion of all civilised nations, be corrected or amended by a long prescription; but rather the rights of the house of Brandenburg not only to these provinces, but also to other great and important claims, set forth in the declaration above referred to, remain in full force and integrity.

As therefore neither our inclinations lead us, nor any law compels us to suffer any longer such great and various acts of injustice done to our royal and electoral house,

house, we are determined to make use of all the means, which the divine Providence has put into our hands, in order not only to recover the provinces thus torn by Poland from our duchy of Pomerania, and New March of Brandenburg; but also to indemnify ourselves for the fruits and revenues of these extensive provinces during this long detention of them.

To this end we are resolved to seize into our hands, and have commanded our troops to occupy all that part of Great Poland situated on this side of the Notec; and also all the territories of Prussia and Pomerania on this, and on the other side of the Vistula, which the kings of Poland have hitherto possessed under the name of Polish Prussia: except only Dantzic and Thorn. And we persuade ourselves, that the republic of Poland, having well weighed our demands, as well as the circumstances attending them, will yield to our rights, finish all differences between us by amicable treaties, and be ready and

disposed to make equitable conventions therein.

In consequence hereof, we do hereby notify these our firm and deliberate resolutions to all the orders and inhabitants of Prussia and Pomerania hitherto possessed by the kings of Poland; and to all the inhabitants of that district of Great Poland which is situated on this side of the Notec, requiring and exhorting them; graciously, but seriously commanding and injoining them, make no opposition to our taking possession of the said provinces, nor to the officers, or troops sent for that purpose; but to submit themselves voluntarily to our dominion, acknowledge us for their lawful king and master, demean themselves towards us as faithful and obedient subjects, and abstain from all communication with the kingdom of Poland. And we, on our part, do hereby promise and engage to maintain all and every of our said subjects in their possessions and rights, whether civil or ecclesiastical,

tiastical, and specially those of the church of Rome, in the free exercise of their religion; and, in general, so to govern these our provinces, that every sensible inhabitant shall find reason to be content and happy in this change, and never have cause to repent thereat.

But, in order to assure ourselves more effectually of their fidelity and allegiance, we have fixed a day, namely, the 27th day of this instant September, on which all the subjects of Prussia and Pomerania (except only Dantzic and Thorn) and all the inhabitants of the districts on this side of the Notec, hitherto possessed by the kings of Poland, are to do homage, and take the oaths of allegiance and fidelity, in the presence of commissaries by us for that purpose appointed, and in the manner hereafter specified.

We persuade ourselves that all the inhabitants of the said districts will conform themselves to these our orders; but if, contrary to our expectations, any

person should presume to disobey the same, by neglecting to take the oath of allegiance, refusing to submit himself to our dominion, and to acknowledge us for his master, or by resisting our troops, and others commissioned to carry these our orders into execution, or, in short, should in any wise render himself guilty, or even suspected of infidelity and disobedience, all such may be assured, that we shall proceed against them, without exception of persons, with all the rigour usual in such cases.

In witness whereof, &c. &c.

Given at Berlin this 13th day of September, 1772,

Signed, &c.

N O T E,

The manner of doing homage is specified in this act, but not the tenor of the oath of allegiance. When the ducal, now regal Prussia, was erected into an independent sovereignty, it was on condition

tion that in default of heirs-male descendants from the then elector, the duchy should become again a fief of Poland, and as such be bestowed on the margraves of the race of Franconia; and in default of heirs male of this race, should revert absolutely to Poland; and the subjects took their oath of allegiance in consequence. But the oath administered in consequence of these present letters was, to all the heirs male and female, descendants and collaterals in infinitum.

K.

*Declaration delivered at Warsaw by order
of the King of Prussia.*

HIS majesty, the king of Prussia, compelled by that anarchy which has for so many years desolated the state of Poland, did, in a declaration delivered on the 18th of September, by his underwritten minister, to the king and republic of Poland

land, solemnly reclaim certain ancient rights and lawful pretensions which he has on the republic; as an equivalent for which, he did actually and effectually occupy part of the possessions of the said republic; and his majesty did at the same time, invite the whole Polish nation to banish, or at least suspend all spirit of discord and delusion; to assemble a diet, and, in this legal representation of the whole body of the republic, to co-operate with his majesty the king of Prussia, and the two courts united with him, in establishing on a firm and solid foundation, order and tranquility at home, and to confirm, by formal and amicable acts, the exchange of the titles and pretensions of the said courts against the equivalents, of which they have respectively taken possession.

Such was the true sense and intention of this declaration; and his Prussian majesty expected patiently the just and necessary effect of it.

But

But he was sensibly afflicted, when he learned that, in answer to such a declaration, the king of Poland had, by a first impulse, and of his own private authority, caused to be delivered to the underwritten minister, and to be made public, a protest tending to invalidate the rights and pretensions of his majesty the king of Prussia, and the occupations made in his name; nor was it with less grief, that his majesty the king of Prussia saw that the Polish nation, instead of concurring with zeal and affection in the convocation of a diet, (without which Poland can neither solidly pacify her own internal troubles, nor regulate the very pressing affairs between her and her neighbours) did still give itself up to every kind of delusion, to intrigues, to views of private interest, calculated only to procrastinate the term of bringing about so very desirable a peace, and confirming the security of its possessions. But what is the astonishment and indignation of his majesty at seeing, that
all

all the steps of the Polish government demonstrate a formal design of prolonging, as much as possible, the internal and external confusion of the state, of tiring out the patience of the three neighbouring powers, instead of speedily granting them the justice they demand, of endeavouring, by insidious delays, to expose the legality of their rights to all the vicissitudes of future events.

A council is assembled, neither numerous enough nor enough united, nor sufficiently authorised; it separates without coming to any resolution; a second council is summoned, but, as if the business it is to meet about was of the most indifferent nature, the time of its meeting is, on the most frivolous pretences, delayed to a period unreasonably distant; and, in the mean time, the minds of people are heated, cabals and factions are formed to throw every possible obstacle in the way, both of the internal pacification and the negotiations demanded by the three courts.

The

The respective ministers of the three courts have already, by a second declaration, reiterated their instances with the king and republic of Poland for the convocation of a diet; and have set before the eyes of the court of Warsaw the imminent dangers which result from so many delays and evasions.

But in a crisis so full of danger to the republic, his majesty the king of Prussia, desirous that no part of the ulterior evils which Poland may undergo, should be imputed to him, determines to make this last effort towards conquering so inconceivable an obstinacy.

To this end his majesty the king of Prussia renews, in the strongest and most pressing manner, his instances with the king and republic of Poland, for the convocation of a diet, and the consummation of a final arrangement between the republic and the three neighbouring powers.

And that no illusion may diminish in the eyes of the Polish nation the importance of this

this new step taken by his majesty the king of Prussia, he fixes a term, to which, but not beyond it, he will wait for the effect; that is to say, the 19th of April, 1773, for the assembly of the diet; and the 7th of June following for the definitive arrangement with the three courts: and these terms expired without proper provision being made by the Polish nation, his majesty, the king of Prussia, declaring himself from that moment disengaged from all renunciations made in his first declaration, will immediately employ such measures as to him shall appear most prompt and expeditious for doing full justice to himself.

Given at Warsaw, Feb. 2, 1773.

Signed,

G. DE BENOIT.

N O T E.

The same declaration was delivered by the ministers from Vienna and Peterburgh.

Answer

L.
*Answer of the ministry at Warsaw to the
foregoing declaration.*

THE under-written having made their report to the king of the declarations delivered to them the 2d of February, by the ministers plenipotentiaries from the courts of Vienna, Petersburg, and Berlin, and his majesty having taken the advice of his senate thereupon, the under-written are commanded to answer thereto as follows :

The principles of condescension, by which the king and his senate find themselves obliged to regulate their conduct towards the above-mentioned courts, being sufficiently known by the ministerial note of the 14th of December, given in answer to the uniform declarations of the three courts of the 4th of the same month, and by the analogous facts which have followed the declarations of these dispositions,

sitions, the underwritten refer thereto, confining themselves in the present:

1st, To observe to the three courts, that the harshness and rigour of their demands, aggravated still more by the style in which they are expressed, and the tone of inculcation and reproach affected in the above-mentioned declarations, have justly afflicted the sensibility of the king and senate, being equally remote from the attention due to the dignity of the king and republic, and from the regard which the circumspect conduct of the king merited on their part.

2dly, The under-written are to inform the above-mentioned ministers, that the king, with the advice of the senate, and after having taken into consideration the serious menaces, and imminent dangers which have been announced to him in case of refusal, has yielded to the desire of the three courts, and has appointed, in consequence thereof, the 19th of April for the epocha of the diet.

And,

And lastly, the under-written are commanded to address to the same ministers the solemn requisition which the king, with the advice of the senate, makes to the three allied courts, to procure the evacuation of their troops out of the domains of the republic, before the holding of the dietines anticommitiales, in order that the dietines and the diet may proceed with full liberty, and the sense of the nation be explained without restraint, and without danger.

Done at Warsaw the 19th of Feb. 1773.

Signed by the Chancellors of Poland and Lithuania.

N O T E.

This condescension of the court of Warsaw did not prevent two of the usurping powers from making considerable additions to their seizures, whilst they pretend to wait patiently for the effect of their declarations.

B b

The

The king has again been blamed for condescending a second time to the desires of his imperious neighbours; but after all, what would the diet have done more in June than in April, if the other powers of Europe persist in their lethargy? The nation is worn down by continued acts of oppression: and the king of Prussia openly tells the Poles that their present sufferings, and the future prospects of greater, are the effects of the king's resistance.

M.

Extract of a Treaty of Peace between Casimir King of Poland, and Lewis d'Erlichausen Grand Master of the Teutonic Order, concluded at Thorn, Oct. 19, 1466; taken from the Constitutions of the Republic, published at Warsaw, in 6 Vols. in folio, 1736.

TERRA Culmenfis, cum fuis castris, civitatibus, oppidis & fortalitiis,

videlicet, Thorn veteri et nova, Birgelau, Starigrod, Culm, Dunislaw, Lipno, Kowal, Roggenhaus, Englesberg, Reden, Graudentz, Colub, Popow, Strasburg, Ludberg, Newmarckt, Lessen, cum suis omnibus pertinentiis, et villis; etiam quæ pertinebant ad iudicium Culmenfe, et cum tota terra Michaloviensi, nihil excipiendo; item tota terra Pomeraniæ circa antiquos terminos suos, cum universis castris, civitatibus, oppidis, et munitionibus in ea consistentibus: videlicet, Gdansk five Dantzig, Puczki, five Putzig, Lavenburg, Hela, Siebe, Grebin, Dirschau, Mewe, Stargard, Neuburg, Swetz, Ofiek, Jaliniec, Kischau, Slochau, Conitz, Hammerstein, Bütow, Tuchol, Sobowidz, Shöneck, Baldenburg, et cum Naria (Nehring) fluviis, aquis, mari, et piscaturis, quæ sunt in cauda maris, alias Hap, villis, portibus, insulis, & pertinentiis universis, et dominio universali, directo et utili, mero et mixto ad nos & regnum

nostrum Poloniæ in perpetuum pertinebunt & spectabunt.

Item ex bonis certis respectibus nos moventibus, et pro præsentis pacis stabilimento, castrum et civitas Marienburg, cum duabus insulis, magna videlicet altera, et altera parva, quæ dicitur Tysannyffe, Herwerder, et cum integritate lacus Drusen, et cum omnibus suis piscaturis, piscationibus, et villis, et cum districtu, Scharffau, et omnibus aliis attinentiis suis et villis, eo tamen excepto, quod villæ Hallemendorff, et Alepin quæ pertinent ad Hollend, & Kulchebow & Herndorff, quæ ultima sola militantium est, et pertinet ad Preuschenk, habeant facultatem in lacu Drusen pisces piscandi: item castrum & oppidum Stuhm, cum omnibus antiquis suis juribus, cohærentiis & pertinentiis universis, item civitas Elbing utraque vetus et nova, cum districtu villarum, limitibus, et jure, et cum oppido Tolkmit, et ejus districtu, et suo officio
fit.

Silvarum et nemorum, alias Valdaph, et cum sex villis, tenutæ et castri Holanth, et cum quinque villis quæ ad oppidum et districtum Molhnusen pertinent. Item oppidum et districtus Krischburg, alias Drzgon cum suis libertatibus militaribus, nobilibus, et castro, (curia tamen Doleschech apud ordinem remanente,) ab alio vero latere dicti oppidi ascendendo, et transeundo usque at finales granicies dicti oppidi Krischburg, et villæ Halbenstadt mutuo se contingentes; (eadem villa a sinistris et in ditione ordinis remanente :) abinde vero directius eundo ad ecclesiæ Pomesaniensis fines proximiores, ubi omnia & singula sub dictis finibus ad partem castri Marienburg consistentibus (villa Moyserburg iterum in parte ordinis remanente) cum curiis allodiis, & quibuscunque aliis pertinentiis ad dictum castrum Marienburgh spectabunt & pertinebunt. Cætera vero alia omnia & singula ad cumeratum, et generaliter ad districtum Krischburg usque in præsens perti-

mentia pari modo cum oppidis et allodiis
militaribus, terrigenis, villis, aquis, et
aliis singulis pertinentiis spectabunt et ad
castrum nostrum Preusmarck perpetuo, et
in ævum pro prædicto serenissimo domino
rege, et regibus et regno Poloniæ rema-
nebunt. Ita quod castra, civitates, oppi-
da, districtusque prædicti ex nunc, et de
cætero, vigore præsentis unionis et fæ-
deris ad jus, proprietatem, sortem, et titu-
lum regni Poloniæ pertinebunt et specta-
bunt, pertinere et spectare debent perpetuo
et in ævum.

Item concordavimus quod Varmiensis
ecclesia, et ejus pontifex, cum venerabili
capitulo Varmiensi, ex nunc et de cætero
cum omnibus suis castris, civitatibus, op-
pidis, & munitionibus, videlicet Heilsberg,
Braunsberg, Wormdith, Serburg, War-
tenberg, Reschel, Bischoffstein, Alestein,
Gakteszkath, Melsak, Fraunburg, & Bis-
choffsburg, cum omnibus districtibus,
nobilibus, vassallis, villis, pertinentiis et
attinentiis suis, in præfati domini Casi-
miri

miri regis, et successorum suorum regum
Poloniæ & regni Poloniæ ditione, sub-
jectione, et protectione consistent. Et
nos Ludovicus magister, nostrique suc-
cessores, commendatores et ordo ejus di-
tioni, subjectioni, et protectioni expressè
renunciamus, et omne jus, quod nobis
in hæc omnia competebat, in præfatum
serenissimum regem dominum Casimirum,
successores suos reges, et regnum Poloniæ
plenariè transfundimus, et transferimus
per præsentem.

N.

*Extract of the Convention between Sigis-
mund I. King of Poland, and Albert,
Margrave of Brandenburg, great Mas-
ter of the Teutonic Order, concluded at
Cracow, April 8. 1525, taken from
the History of Prussia, by Gasper Schütz,
Folio, 496. German Edition.*

TENTHLY, His majesty yields to
the margrave Albert, as a fief, and
in quality and under the title of duke of

B b 4

Prussia,

Prussia, the land, towns, castles, and villages hereunder named : that is to say, the three towns and castles of Königsberg, Lochstädt, Wargen, Gyrmars, Poubetten, Rondaw, Schacken, Caymen, Cremiten, Waldau, Tapiar, Tablaucken, Narbetten, Insterbourg, Allenbourg, Wonisdorff, Gyrgawen, Angerbourg, Nordenbourg, Labiau, Lawkiskken, Tilse, Ragnett, Rositten, Wyndberg, Memmel, Brandenburg, Creutzbourg, Friedland, Domenau, Barthen, Lentzen, Balge, Heiligen, Zinten, Landsberg, Preussisch, Eulaw, Bartenstein, Sheften, Saynsbourg, Rein, Rostenbourg, Licke, Johansburg, Holland, Libstadt, Melhausen, Moroungen, Passenheim, Orthelsberg, Osterodde, Hohenstein, Neidenbourg, Soldau, Gilgenbourg, Schippenbeil, Teutsch, Eurlaw, Preussich Marck, Liebe, Muhl, Saalfeldt, Reissenbourg, Marienwerder, Tyrenberg, Laptau, Schoenberg, Powunden, Georgenburg, Rosenberg, Gardensee, Neuhaus, Freyestadt, Salau, Fischhausen, and Bischoffswerder,

O. Ex-

O.

Extracts from the Treaty of Velaw.

AR T. IV. Serenissimus elector omnia quæ per universum Poloniæ regnum, magnumque ducatum Lithuaniam, et episcopatum Varmiensem per hoc bellum, aut per tractatus Suecicos, quocunque titulo occupavit, ac ipso facto possidit,—restituere plenariè et absque ulla reservatione.

Art. V. Quorum intuitu, et aliis justis de causis ducatum Prusiæ, iis finibus circumscriptum, quibus serenissimus elector illum olim jure feudali, ante hoc bellum ortum, possidebat, ipse deinceps, et descendentes ejus masculi, jure supremi domini, cum summa atque absoluta potestate, sibi habeunt, possidebunt, regentque, absque omnibus ante hac præstitis oneribus.

Art. X. Loco vassalagii pristini serenissimus elector, ejusque descendentes, perpetuo, et inviolabili fœdere serenissimo regi ac regno Poloniæ conjungentur.

Art.

Art. XI. Serenissimus elector, ejusque descendentes, fidam cum serenissimis regibus regnoque Poloniæ & magno ducatu Lithuanix colent amicitiam, et unionem; & nunquam cum serenissimorum regum, vel regni hostibus aliquod fœdus, directè vel indirectè inibunt, in præjudicium regis & reipublicæ.

Art. XVII. Commercia inter regni Poloniæ, magni ducatus Lithuanix, et ducatus Prussiæ incolas libera erunt et secura.—In dominiis utriusque partis nulla nova teloniorum onera, tam terrestria, quam maritima, quæ ante hoc bellum non fuerunt, in gravamen cujuscunque partium imponentur.

Art. XVIII. Si super limitibus inter utramque partem controversia exoriatur per commissarios amicè componatur.

P.

Imports at Dantzic for the year 1771.

	Goods.		
Allum	- - -	1,986	stone
Almonds	- - -	3,663	stone
			Argol

APPENDIX.

379

Goods.					
Argol	-	-	-	145	cwt.
Anchors	-	-	-	60	pieces
Ale from Burton	-	-	-	266	hhds.
Aniseed	-	-	-	779	stone
Blue Powder	-	-	-	3,391	stone
Bayberries	-	-	-	392	stone
Brafs	-	-	-	24	cwt.
Brafs-wire	-	-	-	105	stone
Brimstone	-	-	-	399	stone
Bottles	-	-	-	410	stone
Butter	-	-	-	66½	barrels
Brandy	-	-	-	130	aume.
Barley	-	-	-	714 ⁸ / ₁₀₀	lasts
Barley groats	-	-	-	477	sheffs.
Bricks	-	-	-	581,400	pieces
Currants	-	-	-	3,913	stone
Cinnamon	-	-	-	228	stone
Cummin	-	-	-	2,106	stone
Cotton	-	-	-	603	stone
Capers	-	-	-	203	stone
Cubebs	-	-	-	14	stone
Copper	-	-	-	320	stone
Copperas	-	-	-	803	stone
Cheefe	-	-	-	83 ³ / ₁₀	cwt.
Cod	-	-	-	321	barrels
Cardomom	-	-	-	142	lb.
Camel hair	-	-	-	232	lb.
Chefnuts	-	-	-	7,732	lb.
Cochineal	-	-	-	36	lb.
Coffee	-	-	-	1,702,522	lb.
Coals	-	-	-	128	lasts
Cloth, Dutch	-	-	-	62,231	ells
Do. Norder	-	-	-	25,323	ells
Drogets	-	-	-	66	pieces
Figs	-	-	-	445	stone
Flax	-	-	-	90	stone
Fernambuck	-	-	-	317	stone
Fish, Iceland	-	-	-	911	shll
Flannel English	-	-	-	291	pieces
					Ginger

Goods.			
Ginger from England	3,655	stone	
Do. preserved	46	stone	
Groats	2,160	stone	
Gum	77	stone	
Galls	100	stone	
Galingal	39	stone	
Glue	8	cwt.	
Grindstones	173	chal.	
Glass from Lubeck	237	crates	
Glass from France	276	crates	
Do. from England	36	crates	
Hemp	915	stone	
Hops	2,084	bags	
Indigo	1,061	stone	
Iron pots	477	cwt.	
Ditto, pans	497½	stone	
Ditto, wire	179	stone	
Ditto, bar	8,406	shl.	
Ditto, old	352	casks	
Juffs	33	cwt.	
Herring, Dutch	380	barrels	
Ditto, Norway	27,330	barrels	
Kerseys	298	pieces	
Lime	9,114	barrels	
Lemons	425,300	pieces	
Ditto, pickled	131	hhds.	
Lead, white	988	cwt.	
Lead	450	stone	
Liquorice	473	stone	
Litharge	76	stone	
Mace and cloves	74	stone	
Leather	3,579		
Melwel	455	shl.	
Oil	11,891	stone	
Oil of France	200	casks	
Ditto, Bergen	537	barrels	
Ditto, linseed	1,340	ashm.	
Orange peel	2,956	stone	
Oysters	13	barrels	
		Oranges,	

APPENDIX.

381

Goods.			
Oranges	-	26,000	pieces
Ditto, China	-	31,200	pieces
Otters	-	50	pieces
Olives	-	29½	hds.
Oats	-	65½	lasts
Pepper	-	6,756	stone
Nutmeg	-	94	stone
Plums	-	318	stone
Prunelles	-	150	stone
Pimento	-	1,989	stone
Blue-pots	-	57	stone
Plush	-	166	pieces
Pitch	-	113	barrels
Pease	-	32½	lasts
Paper, common	-	2,110	reams
Ditto, post	-	1,289	ditto
Rum	-	80¼	aumes
Raisins	-	14,957	stone
Rice	-	10,337	stone
Rosemary	-	1,827	stone
Rosin	-	48	stone
Rasch	-	553	pieces
Serges	-	89	ditto
Stockings	-	1,840	pair
Skins, fox	-	212	pieces
Ditto, from Denmark	-	5,500	ditto
Ditto, Scotch	-	2,000	ditto
Ditto, calf	-	24½	stone
Sugar, loaf	-	71,021	stone
Ditto, candied	-	19,278	stone
Ditto, clayed	-	1,306	stone
Ditto, Muscovadoes	-	19,839	stone
Syrup, black	-	33,669	stone
Ditto, white	-	1,963	stone
Succade	-	192	stone
Starch	-	147	stone
Soap, Venice	-	55	stone
Steel	-	120	stone
Shot	-	266	stone
			Shumack,

Goods.				
Shumack	-	-	360	stone
Saffron	-	-	351	
Sail-cloth	-	-	680	pieces
Salt, Spanish	-	-	789	last
Ditto, French	-	-	2,008	ditto
Ditto, British	-	-	2,007	ditto
Tobacco-leaf	-	-	4,770	stone
Tobacco-roll	-	-	33,815	stone
Ditto, cut	-	-	22,198	stone
Ditto, Rappee	-	-	3,583	stone
Tallow	-	-	5,654	stone
Ditto, candles	-	-	2,188	stone
Tow	-	-	620	stone
Tin	-	-	467	stone
Ditto, plates	-	-	682	shl.
Turpentine	-	-	61	stone
Tea	-	-	133,755	lb.
Tin, white	-	-	211	casks
Ditto, black	-	-	13	casks
Tar	-	-	1,255	barrels
Tiles	-	-	32,000	pieces
Vinegar	-	-	387	hhd.
Wine, French	-	-	10,691	hhd.
Ditto, Rhenish	-	-	117½	aumes.
Wine, sack	-	-	8	pipes
Do. Naples	-	-	26	pipes
Whalebone	-	-	62	stone
Wood, blue Brasil	-	-	447	stone
Do. yellow	-	-	2	stone
Do. red	-	-	286	stone
Do. brown	-	-	267	stone
Do. fine	-	-	5,360	fathom
Yarn, Turkey	-	-	2,321	lb.
Non-enumerated goods, chiefly woollen, value 2,008,068 guilders				

Exports

Exports from Dantzic in the Year 1771.

Goods.				
Ashes, pot	-	-	14,837 $\frac{1}{2}$	shll.
Do. weed	-	-	3,145	lasts
Antimony	-	-	290	stone
Barley	-	-	2	lasts
Bristles	-	-	2,282	stone
Bacon	-	-	6 $\frac{1}{2}$	shll.
Butter	-	-	5	barrels
Beef	-	-	17 $\frac{1}{2}$	do.
Beer, spruce	-	-	12	do.
Brandy, French	-	-	4	aumes
Do. corn	-	-	183	aumes
Cheese	-	-	101 $\frac{1}{2}$	shll.
Cloth	-	-	19,735	ells
Cummin	-	-	112	stone
Deals, fir	-	-	1,306	shock
Clap-boards	-	-	90	do.
Feathers	-	-	2,463	stone
Flax	-	-	1,033	stone
Hemp	-	-	2,369	do.
Hops	-	-	277 $\frac{1}{4}$	shll.
Honey	-	-	25	barrels
Hides	-	-	583	decker
Herring	-	-	656	barrels
Iron	-	-	1,071	shll.
Linseed	-	-	4	barrels
Lead	-	-	46	stone
Leather	-	-	83	decker
Oil-seed	-	-	7	aumes
Pease	-	-	19 $\frac{13}{60}$	lasts
Plank, oak	-	-	243	shock
Gunpowder	-	-	211	stone
Rye	-	-	8,690 $\frac{4}{60}$	lasts
Do. flour	-	-	12	sheff
Rolls, brown	-	-	128,102	pieces
Pitch	-	-	2	barrels
Crown rasch	-	-	71	pieces
				staves,

Goods.

Staves, pipe	-	-	11,611	shock
Do. barrel	-	-	1,215	shock
Do. hoghead	-	-	3,664	shock
Starch	-	-	717	stone
Tow	-	-	286	stone
Shot	-	-	75	stone
Steel	-	-	106	shill.
Sturgeon	-	-	563	kegs
Tallow	-	-	489	stone
Soap	-	-	77	barrels
Succinum	-	-	4,872	lb.
Salt, Spanish	-	-	60	lasts
Do. French	-	-	57	lasts
Saltpetre	-	-	242	shill.
Tar	-	-	12	barrels
Tobacco, cut	-	-	40	stone
Segathees	-	-	213	pieces
Wax	-	-	400	shill.
Wool	-	-	31,138	stone
Trunnels	-	-	49	mille
Wheat	-	-	15,388 $\frac{1}{2}$	lasts
Do. flour	-	-	86	lasts
Wine, French	-	-	12	hogheads
Do. Hungary	-	-	6	aumes
Woollen goods, value	882,728	guilders		
Yarn, Ermland	-	-	29,152	shocks
Do. Polish	-	-	609	shocks

Note. The aume is $\frac{2}{3}$ of a French hoghead: shill means a ship pound, or 320 common pounds, the cwt. is 120 common pounds: and the stone is 24 pounds.

Q.

Extracts from a Treaty of Commerce between Anne, Queen of Great Britain, and the Town of Dantzig, concluded in the Year 1707. From the Archives of Dantzig.

ANGLIÆ, Scotiæ, & Hiberniæ subditis ut antea ita in posterum Gedani commorari, mercaturam exercere, advenire, vel in propriis, vel in alienis navibus, merces omnium exterarum nationum, easque consuetis teloniis solutis, in depositoriis et granariis asservare, civibus eas vendere, easdem rursus per mare, præstitis juribus exitus, ad omnes oras peregrinas transferre liceat.

Ratione hæcæ, aliorumque piscium advehendorum, Angli pari cum Batavis gaudebunt libertate. Exportatio salis, huc dum Anglis non permessa, eis indulgetur, præviâ jurium exitus præstatione.

C c

Si

Si vero civitati necessarium visum fuerit hanc indulgentiam mutandi, per sex menses æstivos id præviè mercatoribus Anglis significabitur.

Loco pecuniarum in camera deponi solitarum admittet civitas cautionem personalem mercatorum Britannicorum.

Herba nicotiana (tobac) per mare ex Anglia advecta non confundi debet cum ejus modi herba terra huc advecta; nec ejus modi herba sub nomine vel signo Anglicæ herbæ vendi debet.

Si in posterum aliis exteris nationibus quædam privilegia, seu commoda commerciorum concederentur, ea, eodem tempore, Anglis itidem concedi ipso facto debent.

N O T E.

His Prussian majesty has broke through every one of the articles above cited.

R. Au-

R.

Authentic Translation, from the German Original in the Archives of Dantzic, of the Act of Guaranty given to the Town of Dantzic, by the reigning Empress of Russia, in her own Name and those of the Kings of Great Britain, Denmark, Sweden, and Prussia, on the 24th Day of March, 1767.

NOS, Dei gratia, Catharina II. imperatrix & autocratrix totius Russiæ, &c. &c. notum facimus & manifestamus omnibus & singulis, præcipuè quorum id nosce interest, quod posteaquam imperatrix Anna gloriosissimæ memoriæ, pro se & suis successoribus diplomate, die 29 Aprilis, anni 1736 edito, civitati Gedanensi id submissimè efflagitanti summam suam & clementissimam interpositionem largita est, ut hæc civitas in suis juribus, libertatibus, possessionibus, & consuetudinibus, tam in causis religionis quam in

aliis quibuscunque, præcipuè vero quoad portum, qui ad ipsam pertinet, et in jure præsidii ipsi competenti, nullo modo neque ullo prætextu læderetur, sed in iis conservaretur; & id propter sponso seu garantia fieret: nos eandem garantiam, anno 1764, valedissimè renovavimus; & nunc, ipso nostro proprio diplomate, antea memoratæ civitati Gedanensi, partim, ex innatâ nobis clementiâ & magnanimitate, partim, quia propter assidua commercia cum imperatoriis nostris provinciis & subditis, et propter portum ejus commodè situm, eam civitatem in præsentî statu suo permanere nostrâ interest, iterum ei clementissimam sponsonem facimus, nos eam, contra omnes & singulas, sive jam factas, sive in posterum faciendas preteniones & postulationes, efficacissimè tuituras; ei simul summam nostram interpositionem liberaliter concessuras, ut ipsa in suis, quibus huc dum gavisa est, juribus, libertatibus, privilegiis, consuetudinibus, tam in causis religionis quam in aliis, præcipuè in possessione

possessione suorum territoriorum, fundorumque, & in jure navigationis commercii, portorii, rei monetariae, & praesidii, sine ulla diminutione plenissime conservetur.

Quodsi etiam ex causa Dissidentium in Polonia, Lithuania, & in incorporatis provinciis commorantium, quos, ad restauranda ipsorum huc dum laesa jura & libertates, in nostram protectionem recepimus, ad vim & apertum bellum — (quod tamen Deus clemente avertere velit) — ventum fuerit; praememorata civitas Gedanensis, quippe pars Dissidentium in Prussia, dum modo ipsa bonae causae communi accedit, non solum a parte nostra pari protectione fruetur sed etiam, si eadem ex tali occasione in suis bonis, opibus, & redditibus ullum damnum aut in suis juribus ullum laesionem passa fuerit; in secutura conventionem aut pacificationem reparatio ejusmodi damni ipsi procurabitur, atque etiam omnium ejus jurium ac privilegiorum validissima sponsio sive garantia a nobis et a cæteris, quæ nobiscum in causa Dissidentium con-

juncti sunt, summis potestatibus, de novo præstabitur, ipsaque contra omnes prætensiones & vindictas de præterito metueudas, sufficienter in tuto collocabitur.

Denique si præfata civitas in posterum propter jura aut libertates suas à quopiam impugnata fuerit, eadem ad nos et successores nostros fidentissimum & humilimum refugium, sicut antea, capiet; & omnem a nobis protectionem, auxilium, et adjumentum sperare poterit. In majorum cujus fidem hocce nostrum diploma manu nostra subscripsimus, imperiique nostri sigillo muniri jussimus. Datum Moscoviæ, d. 24 mensis Martii anno 1767.

CATHARINA.

N. PANIN.

Princeps ALEXANDER GALITZIN.

L. S.

Imperialis in capula
argentea deaurata.

N O T E.

In consequence of this act of guaranty, the town of Dantzic acceded to the confederation of the Dissidents.

The

The editor has rather chosen to give this authentic translation in Latin, than hazard one of his own in English; for fear of being suspected of having added to the force of the original. Indeed the terms of this guaranty are so very strong and full, and yet it has since been so shamelessly violated, that without the most indisputable proofs of the authenticity of the piece, the editor would not have inserted it at all.

On the one hand it seems incredible, that Great Britain should have given Russia power and authority to put her name to such an act as this, without having first well weighed the consequences, and provided for the effectual observation of so strong and solemn an engagement: because it is incredible that Great Britain should lend her name for the purpose of deceiving and betraying a town, whom she has for ages protected, where her subjects enjoy great and unusual privileges, and where she carries on an extensive and
lucrative

lucrative commerce: and that with no other view than to gratify the ambition of a prince, who having been saved by her from destruction, repays the obligation by every act of haughtiness, not to say contempt.

On the other hand, it seems almost as incredible, that Russia should, unauthorized, thus use the name of Great Britain, an ally to whom she has so many and so recent obligations; should then again insult this ally, and forfeit her own honour by basely giving up the town, whose rights and liberties, and particularly those now attacked, are so strongly guarantied in this act; and that not gratuitously, but on certain conditions, which conditions were fulfilled by the town: and all this only to be the tool of a prince, whom at her accession to the throne she solemnly and truly called the natural enemy of her country.

And equally incredible does it seem, that, when called upon to fulfil what she

owes to the honour of Great Britain, her own good faith, and her own interest rightly understood, Russia should coolly answer (which the editor as well as his correspondent has good reason to believe she did) "that she is ready to protect the rights of the town so far forth as no third power has pretensions on it."

The only part of this strange transaction, to which we can readily give credit, is, that the king of Prussia, though a party in this act of guaranty, should himself violate the privileges, he there engages to maintain. We can easily believe this; we expect him to tell us with an unblushing face, "that he has convinced all Europe, and that every one, who is conversant in history, knows," that to guaranty the rights, liberties, and revenues of a state, means to annihilate those liberties, seize upon those rights, and appropriate those revenues to his own use.

THE END.

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